

Rape Defense Lawyer in Utah

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Few things can be more terrifying than a rape allegation. The social stigma alone here in the Salt Lake area can be paralyzing, and the thought of trying to find a sympathetic ear to listen to your troubles can be overwhelming. **You need a confidential source, which listens to your view and has the legal expertise to aggressively protect your rights and reputation.**

In today's increasingly connected world, you might even have to worry about social media coming into the picture. With a few venomous words and a picture posted online, you can find yourself completely isolated from everyone who you thought cared about you without any semblance of due process.

That's why you need someone who's ready to go the extra mile to protect you. With our 100+ years of experience, we can resolve your case quickly and in your best interest. We'll give you the high level of personal attention you deserve.

Call Wasatch Defense Attorneys at [801.980.9965](tel:801.980.9965) today for a confidential, no-obligation case review.

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Rape Laws in Utah

The definition of rape is having sexual intercourse without both parties' consent. The law doesn't care if you're married to the victim if you're both drunk, or what sort of physical responsiveness was involved. If the other party claims to have been raped, the justice system believes it.

Rape of an Adult

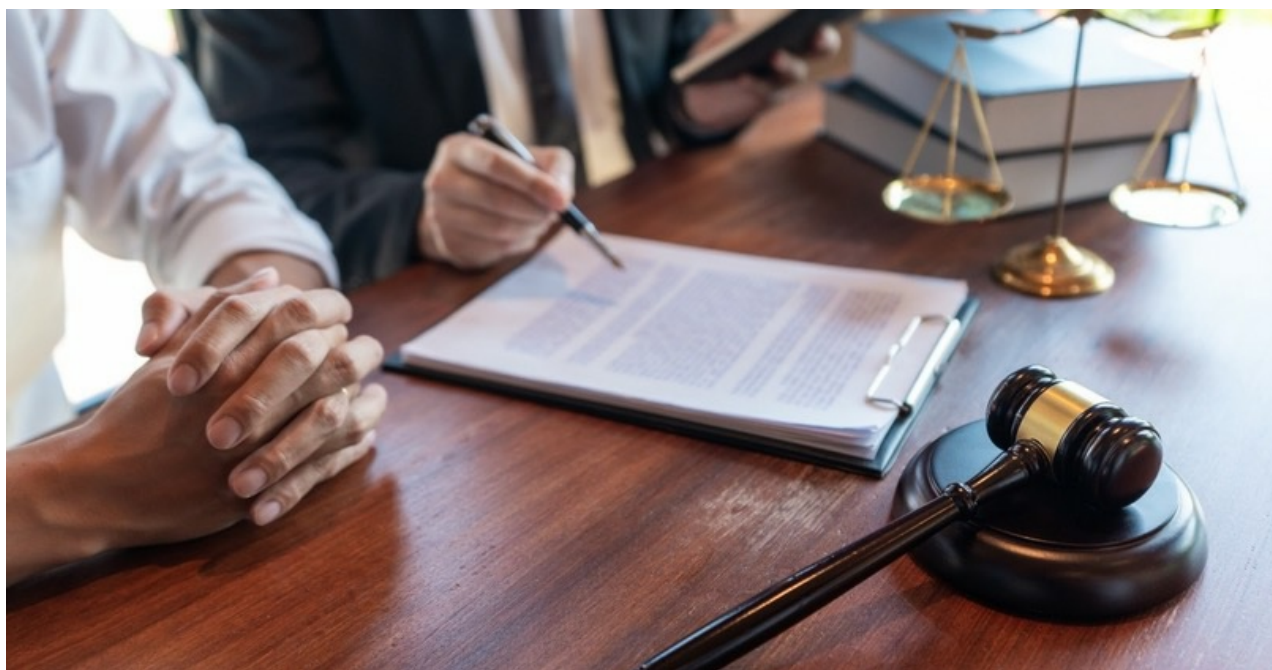
In Utah, for the purposes of rape, anyone aged 14 or older is considered an adult. This is a first-degree felony and carries a minimum mandatory sentence of 5 years in jail. This sentence goes up to a minimum of 15 years with life sentences and life without parole as further options if the court finds extenuating circumstances to be particularly harsh.

Rape of a Child

A person may be charged with rape of a child if he or she allegedly had sexual intercourse with a child under the age of 14. It is also classified as a first-degree felony, but unlike with an adult, the minimum sentence is 25 years to life. Life without parole is another option if serious bodily injury or a second offense was committed.

Rape Committed by a Juvenile

If the accused was under the age of 18 at the time the alleged rape occurred, the court cannot pass a sentence of life without parole. However, the crime will count as a previous offense should the person be accused again and being a juvenile does not reduce the mandatory minimum sentences.



How Does a Rape Investigation Work?

If you've been charged with a crime, it's because both law enforcement and the prosecutor's office have already done some degree of the investigation into what occurred. This does not mean that they've found anyone guilty of a crime, only that they found enough reason to take the next step and charge you. ***Having some insight into the investigation process can make it easier for you to prepare.*** It can also help you see why hiring the right rape defense attorney Utah can be the key to successfully navigating the murky waters ahead.

Ongoing Questions

After you've been charged, law enforcement officials and legal professionals will continue to look into what happened. They'll collect and analyze any evidence that links what occurred to a specific person. Whether it's photos, videos, DNA, fingerprints, or electronic records, investigators will attempt to track down and examine as many leads as possible. It's possible that the person who accused you is flat-out lying, but it's also possible that the accusation was a case of mistaken identity.

The best criminal attorney Utah will look at the case from every angle and develop plausible explanations in the absence of hard-and-fast proof. They'll advise you of your legal rights, counsel you on how to respond to requests, and provide information on how state and local laws apply to your case.

How Consent Works

When it comes to preparing a defense, there needs to be a clear narrative about what really occurred and why. The absence of consent is the crux of a sex crime. When it comes to the investigation though, it's not as simple as whether the person said yes to a particular act.

If someone forces the other person into a sex act against their will, this is a clear violation of their rights. However, the courts must also consider whether the person had the mental capacity to provide consent.

Those who are deemed incapable include minors, developmentally disabled people, and those who are mentally ill. In addition, people who are physically helpless or incapacitated are also not able to give their consent. This includes anyone who is drunk or drugged.

People in Authority

Consent also hinges on the relationship between the people involved in the case. Those in a position of authority may not be able to obtain consent from the person, even if they believe it was willingly given at the time of the events.

This includes teachers, mental health care providers, police officers, and prison guards. For example, a student who gives consent to their professor because they hope it will help them pass a class.

Even those who don't consider themselves to be an authoritarian may find themselves being accused. For example, the very nature of the relationship between a psychologist and a client places one person in a vulnerable position. This can diminish their ability to say no when they're already feeling overwhelmed by an emotional experience.

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Types of Rape

Acquaintance Rape

Acquaintance Rape is a type of rape that is committed by someone who knows the victim. This might include someone who is a classmate, a coworker, and even someone who is dating the victim.

Campus Rape

Campus Rape is a type of sexual assault that takes place while the victim is attending an institution that is meant to be for higher learning. This might include a college or a university.

Corrective Rape

Corrective Rape is a hate crime during which the victim is raped because of their perceived gender or sexual orientation. The rape is “meant” to make someone become straight.

Date Rape

Date Rape is a subtype of acquaintance rape. This type of rape is meant to look like a date; however, date rape is where the perpetrator uses a drug, such as GHB, to knock out the victim and then rape them.

Gang Rape

Also called group rape, this is a type of rape where the person is raped serially by multiple people. There are usually at least three violations.

Genocidal Rape

Genocidal Rape is a type of rape that is usually carried out during wartime situations. This is usually meant to terrify the enemy into submission. This is considered genocide.

Gray Rape

This is a type of rape during which the circumstances are unclear. This might involve cases of alcohol or circumstances where there might have been consent at some point but it might have been withdrawn. The circumstances of this rape are gray, this the name.

Live-Streaming Rape

Also called cybersex trafficking, this is a type of sex trafficking during which the attack on the victim is live-streamed over the internet, usually portrayed by live webcam and broadcast over social media.

Marital Rape

Marital Rape is a type of rape where one spouse rapes the other. While it is largely seen that spouses have consented at some point in the past, this is not universal consent and it is still possible for Marital Rape to take place. This is a form of domestic violence.

Prison Rape

Prison Rape is a type of rape that takes place specifically in prison. This is considered a major issue. The rights of prisoners are largely overlooked due to their circumstances; however, Prison Rape is a major problem.

Serial Rape

Serial Rape is a rape that is committed by someone who commits multiple rapes. Perpetrators of this are considered to be serial predators.

Statutory Rape

Statutory Rape is sexual intercourse that is considered to be consensual; however, the age difference between the couple is too large to be considered consensual under the law. This always involves a minor and the age difference falls outside the Romeo and Juliet clause of the state.

Unacknowledged Rape

This is a type of rape that meets the definition of rape under the law but the victim believes it to be consensual. There might be a miscommunication or the victim calls it a hookup.

Rape by Deception

This is a situation where the perpetrator obtains technical consent from the victim but obtains it through deceptive means that might include false statements.

If you have been accused of rape, then you need the best criminal attorney Utah.

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Frequently Asked Questions About Rape

What is the definition of rape in Utah?

Section 76-5-402 of the Utah Code defines rape as a person having “sexual intercourse with another person without the victim’s consent.” Rape, which is a first-degree felony, can be committed regardless if the rapist is married to the victim.

What NOT to do when charged with rape?

Can a rape victim drop charges?

Can a rape victim be forced to testify?

What is the difference between rape and statutory rape?

What is the statute of limitations for rape in Utah?

What is the punishment for rape?

Does Utah allow termination of pregnancy or parental rights when a child is born from rape?

What a Utah Rape Defense Lawyer Can Do For You

Many rape cases quickly turn into “he said, she said” affairs where the truth can be especially difficult to prove because of the nature of the offense. This means it is vitally important to make sure that what you said and what you did is presented in the best possible light. At Wasatch Defense Attorneys, we know how hard it can be to make your story heard impartially. Our years of experience means that we know the system inside and out and can help you every step of the way.

Remain calm and contact an experienced Sex Crimes Lawyer today [801.980.9965](tel:801.980.9965)

for a free, confidential consultation.

Guard Your Rights

Do NOT Waive Your Right to Legal Counsel! Authorities will try get you to incriminate yourself and suggest there is no need for an attorney. Stay calm and call us immediately: 801.980.9965

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We have represented thousands of clients, with countless difficulties and challenges, for more than 100 years. Less than 1% of our clients have ever been incarcerated.

Compassionate & Aggressive

Whether you have a family, financial, or criminal matter – our ethical, caring attorneys listen to YOU and use their expertise and a strong, hands-on approach to get you the best result.