

# Sexual Exploitation of a Minor in Utah

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Sexual exploitation of a minor involves the possession, production, or distribution of child pornography. It is a very serious crime in Utah, and prosecutors are very aggressive in pursuing maximum penalties in sex-crimes cases. A conviction can carry lengthy prison time, financially ruinous fines, and other extreme penalties. It also results in a criminal record that can damage you professionally and prevent you from accessing your desired housing, college admission, and other essentials. Further, you'll likely be required to register as a sex offender for life.

**If you have been accused of sexually exploiting a minor, contact a Utah sex crimes lawyer as soon as possible to protect your rights and start building an effective case for your defense.**

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[Call Now!](#)

## What Is Sexual Exploitation of a Minor?

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Sexual exploitation of a minor is a crime that became punishable under state law by the Utah Sexual Exploitation Act [Criminal Code 76-5b-201](#). According to this statute, someone commits sexual exploitation of a minor by doing one of the following acts:

- Knowingly possessing child pornography
- Intentionally viewing child pornography
- Intentionally making child pornography

- Possessing child pornography with the intent of distributing it
- Intentionally distributing child pornography
- Allowing involvement of your child in child pornography

Proof of Child's Identity: Under 76-5b-201, no proof of the identity of the sexually exploited minor is needed to prove that the crime has been committed against an identifiable child.

## Defense Against Charges of Sexual Exploitation of a Minor

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An *affirmative defense* is one that successfully negates the prosecution's charges against the defendant. In a case of sexual exploitation of a minor in Utah, affirmative defenses might include:

- showing that no minor has actually been involved in the visual depiction in question or in producing or advertising it.
- showing that the defendant did not actually solicit child pornography from the child depicted in the illegal material.
- showing that the defendant is less than two years older than the minor portrayed in the pornographic material.
- Destruction of all of the pornographic materials upon request of law enforcement or the exploited minor.
- Showing that the material in question does not actually depict any image that qualifies as an offense under Utah 76-5-4, Sexual Offenses.

## Penalties for Sexual Exploitation of a Minor in Utah

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Even as a first offense, sexual exploitation of a minor is always charged as a second-degree felony in Utah. The punishments for second-degree sexual exploitation of a minor Utah law allows can include:

- A prison sentence of up to 15 years in prison
- A fine of up to \$10,000
- Lifetime registration in the Utah Sex Offender and Kidnap Offender Registry.

## Who is Exempt from Charges of This Crime?

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Actions that are not crimes involving child pornography in Utah include possessing or viewing such materials to meet job responsibilities as an employee or agent of an organization handling the:

- Reporting or preservation of the material
- Implementation of policy
- Law enforcement regarding the case
- Processing of a court case involving the material
- Legal representation as an attorney in the case
- Material as a DHS worker involved in the matter

- Material as a juror examining it as evidence

## **For Sex Crimes Defense in Utah – Wasatch Defense Lawyers**

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Wasatch Defense Lawyers specializes in Utah sex crimes cases. We start to work immediately to keep you out of jail and off the sex offender registry. We can sometimes have charges dropped or substantially reduced or have penalties minimized.

**If you have been accused of a sex crime in Utah, call Wasatch Defense Lawyers at (801) 980-9965, or contact us here on our website to schedule a free legal consultation.**

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## **Guard Your Rights**

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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

## **Experience You Can Trust**

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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**

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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.