

Sexual Exploitation of a Vulnerable Adult

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Being charged with the sexual exploitation of an adult with disabilities or a vulnerable elderly individual can profoundly affect your reputation. ***If you, a family member or loved one has been charged with crimes against a protected person in Utah, it is crucial that you seek immediate representation by an experienced, sex crime defense lawyer*** to help determine your legal options. For a free, no-obligation consultation contact [Wasatch Defense Attorneys](https://www.wasatchdefenseattorneys.com/) today at 801-845-3509. We have successfully handled hundreds of jury trials and won numerous sex crime acquittals in Utah.

What is Sexual Exploitation of a Vulnerable Adult in Utah?

A vulnerable adult is defined as a protected person who is 18 years of age or older with a mental or physical impairment or an elderly individual 65 years of age or older with a functional, mental or physical impairment that hinders self-care. [Utah criminal code 76-5b-2-202](#) states that sexual exploitation of a vulnerable adult is charged as a third-degree felony due to the fact that a vulnerable adult lacks the capacity to consent in the production, possession or distribution of vulnerable adult pornography. Penalties for someone convicted of sexual exploitation of a vulnerable adult are fines up to \$5,000, up to five years in prison and registering as a sex offender.

Who is Considered a Vulnerable Adult?

In the state of Utah, a ***vulnerable adult is an individual, at least 18 years old, who is unable to care for his or her self*** because of a physical or mental disability. ***Senior citizens 65 years of age or older who suffer from a physical, mental or functional***

impairment that results in assisted care are also considered vulnerable adults. ***Vulnerable adults lack the capacity to consent or sufficiently understand decisions or consequences due to impairment as outlined below:***

- Developmental Disability
- Mental Illness
- Organic Brain Disorder
- Physical Illness
- Physical Disability
- Chronic Intoxication or Drug Use
- Short-Term Memory Loss
- Other Impairments

What is Sexual Exploitation of a Vulnerable Adult?

Sexual Exploitation of a vulnerable adult is producing and or distributing material that is pornographic in nature of someone who is considered a vulnerable adult who lacks the capacity of consent. Proof of identity of the vulnerable adult is not required for prosecution. Under Utah law, separate charges may be filed for each vulnerable person depicted in vulnerable adult pornography and for the same vulnerable person appearing in the different pornographic material. Charges can be filed against an individual who knowingly or intentionally:

- Produces pornographic video or photographs of vulnerable adults.
- Possesses or possesses with the intent to distribute pornographic material depicting a vulnerable adult.
- Views pornography that shows or depicts a vulnerable adult.
- Distributes material containing vulnerable adult pornography.

Get a Free Case Review from Wasatch Defense Lawyers Today

If you are a caregiver or someone who has been charged with sexual exploitation of a vulnerable adult in Utah, it is vital it is to contact a qualified, sex crimes defense attorney to safeguard your legal rights and establish your best possible defense. **Wasatch Defense Lawyers** believe that everyone deserves a fair trial and we are here to support you and your family during this difficult time. Contact us today for a **free, no-obligation case review**; we offer **payment plans** and **military discounts**.