

Sodomy Criminal Defense Lawyer in Utah

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Sodomy charges can be filed against you if you have been accused of deviant sexual acts performed with another person without their consent. Sodomy charges are similar to charges of rape in a court system.

At [Wasatch Defense Lawyers](#) we have experience in navigating the court system to allow you to have the best possible defense against sodomy charges and the possible consequences. ***Conviction of sodomy can result in harsh sentences***, so it is important that if you have been charged with sodomy, you speak to a criminal defense lawyer as soon as possible.

Our experienced attorneys can advise you of the best steps to protect your rights and defend yourself against the charges without judgment. [Contact us today](#) to schedule your free consultation.



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What is Sodomy?

The State of Utah [defines sodomy](#) as ***engaging in a sexual act with a person over the age of 14*** that involves the genitals of one person and the mouth or anus of the other no matter their gender. Sodomy is considered a class B misdemeanor.

Sodomy On a Child

Sodomy On a Child is a related crime that is specified separately under Utah Code 76-5-403.1. This form of sodomy has substantially the same [sodomy definition](#) in Utah as does sodomy *not* involving a child, in terms of the specific sexual acts that are identified as

criminal activities. The primary difference is that Sodomy On a Child is charged because the act involves a person under age 14. As in other sodomy charges, the sex of either person involved is not relevant to the definition of the crime under Utah law.

What is Forcible Sodomy?

Forcible sodomy is a first-degree felony that involves sodomy against an individual that does not give their consent for the act. Forcible sodomy can be charged regardless of the gender or age of the victim and the defendant.

What Consequences Can You Possibly Face if Convicted of Sodomy in the State of Utah?

A sodomy conviction in the State of Utah can result in harsh jail sentences, hefty fines, and sex offender registration requirements that can limit where a person may live or areas they can occupy. Sodomy can result in a lifetime sex offender registration requirement. Even though the penalties are similar, sodomy is often filed in conjunction with rape charges.

If convicted of first-degree felony forcible sodomy charges you can be punished with jail time as short as five years to as long as a life sentence. The penalty can be increased to a sentence of 15 years to life if it is found that during the commission of the crime, the victim suffered serious bodily injury or if the defendant is considered a minor but has been previously charged with offenses.

If the victim of the crime is a minor, they are severely injured, or a weapon is used during the commission of the crime, a life sentence may be imposed. If the defendant has been previously convicted of a grievous sexual offense, the court may choose to impose a sentence of life without parole. It is important to note that Utah does require mandatory minimum sentences when certain factors are involved.

Specific Criminal Penalties for Sodomy Convictions in Utah

As in all other types of crime in Utah, a particular act of sodomy is categorized either as a misdemeanor (Class A, B, or C) or a felony (1st, 2nd, or 3rd Degree). The most serious misdemeanors are Class A, and the most serious felonies are 1st Degree.

Sodomy	Forcible Sodomy	Sodomy on a Child
Utah 76-5-403(1)	Utah Code 76-5-403(2)	Utah Code 76-5-403.1
Misdemeanor Class B	Felony 1st Degree	Felony 1st Degree
Maximum of 6 months in jail	Minimum of 5 years to a maximum of life in prison without the possibility of parole	Minimum of 25 years to a maximum of life in prison without the possibility of parole
Fine up to \$1,000	Fine up to \$10,000	Fine up to \$10,000

As you can see, convictions for Sodomy on a Child and Forcible Sodomy carry different penalties. Sentences also vary based on additional factors, such as the extent of injuries to the victim due to the commission of the crime. The court also considers the defendant's history of any previous serious sex crimes, such as.

- Forcible Sodomy on a Child
- Forcible Sodomy
- Aggravated Sexual Assault
- Aggravated Sexual Abuse of a Child

If you are charged with any level of sodomy charge under Utah sodomy laws, you will need to work with the best Sodomy Criminal Defense Lawyer available to you. An experienced sex crimes defense attorney knows how to help prevent you from having a criminal record of a sodomy conviction and help you avoid going to prison. Your lawyer will also work to help prevent you from being entered on the Utah sex offender registry.

Sodomy Charges Used Against Same-Sex Couples

Throughout the United States, the controversial history of cases of sodomizing has challenged the legal definition of sodomizing in terms of its criminality. The outcomes over time have brought greater relief for people charged with sodomy due to private sexual acts between consenting adults. For example:

- **Nationwide (1950s – 1960s):** States throughout the country started decriminalizing all private sexual acts between consenting adults of the opposite or same sex, including sodomy. Yet, some states have kept laws on their books that criminalize sodomy, regardless of gender or consent.
- **Georgia (1986):** The appellate court validated Georgia law criminalizing anal and oral sex of any gender, regardless of adult age or consent. This decision by the court was made on the grounds that sodomy is not a constitutional right for homosexuals.
- **Texas (2003):** The U.S. Supreme Court (USSC) overturned Texas's sodomy law against sexual acts between same-sex people. That decision effectively invalidated the state's application of sodomy laws to acts between consenting adults.

Charged With Sodomy In Utah? Contact Wasatch Defense Lawyers For A Free Case Evaluation

If you have been charged with sodomy in the state of Utah, it is important to contact a defense attorney immediately to ensure that your rights are protected and to help you retain your freedom

Call Wasatch Defense Lawyers at (801) 980-9965, or contact us online to schedule a free review of your legal case and discussion of your best options for your defense.
