

Utah's 'Jessica's Law' 25 Years to Life

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Jessica's Law was designed to protect potential victims of child sexual assault with harsh mandatory minimum sentencing for first time offenders. The law, adopted by Utah in 2008, is a version of Florida's Jessica's Law enacted in 2005 after the kidnapping, sexual battery and brutal murder of 9-year-old Jessica Lunsford by a convicted sex offender that lived nearby. To date forty-six states have introduced Jessica's Law legislation modeled after the Florida state law.

Qualifying Jessica's Law Charges

Child sex offenders found guilty in the state of Utah face strict punishment and monitoring. Lawmakers are hopeful that this legislation will keep child sexual predators behind bars to prevent reoffenders. Utah's 'Jessica's Law' 25 years to life qualifies the following 3 child sex offenses. Due to the mandatory minimum sentencing guidelines for these offenses, no plea deal is possible.

- **Rape of a Child** (under the age of 15) – Utah Code section 76-5-402.1
- **Object Rape of a Child** (under the age of 15) – Utah Code section 76-5-402.3
- **Sodomy on a Child** (under the age of 15) – Utah Code section 76-5-403.1

Conviction of an attempt to commit or solicitation to commit child kidnapping or murder is punishable as a 1st Degree Felony and carries a minimum sentence of 15 years to life. However, ***courts retain some flexibility in sentencing with cases that are deemed "in the interest of justice"***.

The Far-Reaching Effects of Being Charged with a Child Sex Crime

Individuals facing child sex crime charges must deal with penalties that extend beyond the courtroom including the **detrimental effect on their family, the loss of their employment and a tarnished reputation** even if the verdict is 'not guilty'. A child sex crime conviction means serving a conservative 15 years for capital offenses to 25-years-to-life in prison. Additionally, upon release an individual will have to comply with the following:

- **Sex Offender Registration** – Utah law requires convicted child sex offenders to register with the Utah Sex Offender & Kidnap Offender Registry. The offender must re-register with local law enforcement each time they move.
- **Residence Restrictions** – to prevent a child sex offender from living near schools, youth centers, day care facilities and athletic centers for children.
- **Limited Employment Options** – A felony child sex crime conviction will forever limit your employment and career opportunities.
- **Activity Restrictions** – A convicted individual is not allowed to engage in organized athletic, cultural or civic activities involving minors and may be restricted from going near schools, playgrounds, arcades or public pools.

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