

Michigan Criminal Sexual Conduct

In April, 1975, the Michigan legislature passed one of the most progressive sexual assault laws in the country. Criminal Sexual Conduct (CSC) includes penetration of any bodily opening, the touching of sexual areas on the body, or attempting to penetrate or touch.

Penetration or Contact + Circumstance= Degree of CSC

Penetration:	Circumstances:
Vaginal intercourse, anal intercourse, cunnilingus, fellatio, insertion of object (anal/genital)	1. Survivor/ Victim is under 13
	2. Survivor/ Victim is 13, 14, 15 & the Perpetrator is a member of the household
	3. Survivor/Victim is 13, 14, 15 & the Perpetrator is in a position of authority
	4. Survivor/Victim is 13, 14, 15 & the Perpetrator is related by blood or affinity*
	5. Another felony is committed
	6. Multiple perpetrators and the Survivor/Victim is known to be incapacitated
	7. Medical treatment or examination of the victim in a manner or for purposes that are medically recognized as unethical or unacceptable
	8. Multiple perpetrators and force is used
Contact:	9. Perpetrator uses a weapon or causes fear of a weapon
Groin, genital area, inner thigh, buttock, breast with or without clothes	10. Perpetrator causes personal injury and force/coercion is used
	11. Perpetrator causes personal injury and Survivor/Victim is known to be incapacitated or physically helpless
	12. Survivor/Victim is 13, 14, or 15
	13. Survivor/Victim is incapacitated
	14. Force or coercion is used
	15. The perpetrator is a mental health professional and the activity occurs within two (2) years after treatment ends
	16. Survivor/Victim is a student between 16-18 years old and the Perpetrator is substitute, teacher, or administrator**
	17. Incurable STD, pregnancy, or other irreparable damage

1st Degree (Felony): Penetration + Any Circumstance 1-11, 17	Penalty: up to life (No statute of limitations)
2nd Degree (Felony): Contact + Any Circumstance 1-11	Penalty: Up to 15 years (10 Years statute of limitations)***
3rd Degree (Felony): Penetration + Any Circumstance 12-16	Penalty: Up to 15 years (10 Years statute of limitations)***
4th Degree (Misdemeanor): Contact + Any Circumstance 12-16	Penalty: Up to 2 years or \$500 (10 Years statute of limitations)***

* For more discussion on the levels of affinity, please consult Sexual Assault Bench Book: "affinity"

** At the time of publication, the Michigan Senate is undertaking a review of this provision; to make illegal any contact between student and teacher before 18 years of age.

*** After the Perpetrator is identified.