

HB 19-1155

Enhancing Our Response to Sexual Violence:

Closing a loophole in Colorado's sexual assault laws.

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Current law defines sexual contact

"Sexual contact" is the knowing touching of the victim's intimate parts by the actor, or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the immediate area of the victim's or actor's intimate parts if that sexual contact is for the purposes of sexual arousal, gratification, or abuse.

Sexual contact is one factor of certain crimes

(here are two examples)

Sexual Assault on a Child

That the defendant knowingly subjected another person who was not their spouse to **any sexual contact**, and that person was less than fifteen years of age, and the defendant was at least four years older than the person.

Unlawful Sexual Contact

That the defendant knowingly subjected a person to **any sexual contact**, knowing that the person did not consent.

HB 19-1155 closes a loophole in the sexual contact definition

The following are real cases that current law doesn't allow the prosecution of as a sexual crime because the conduct does not meet the definition of **sexual contact**:

- A foster parent ejaculating into the hands of his four and six-year-old foster children and requiring them to drink the ejaculate;
- Breaking into dorm rooms and ejaculating onto the face of sleeping victims;
- ejaculating onto the hips of unsuspecting fellow RTD riders;
- urinating on children for the purposes of sexual gratification.

HB 19-1155 closes this loophole by adding to the definition of sexual contact: Ejaculating on any body part of a victim or what they are wearing, or causing the victim to come into contact with a bodily substance for the purpose of sexual arousal, gratification, or abuse.

Join the effort

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