

# SCORECARD

REPORT CARD COLORADO | 2020



Final Score

61%

Final Grade

C

11 9 6 4 2 2

19 10 10 7 4 6

## SCORECARD TOPLINES

Parental consent is not specifically required for child marriage. Child marriage can occur at 16 or 17 years of age with judicial approval. Consent to sexual contact is not required to be freely given or given by affirmative consent. Does not have a penalty enhancement for crimes motivated by gender, political affiliation, or age. Does not have an ongoing testing of inventory of untested rape kits. A rape kit tracking system has not been implemented. A survivor's right to notice does not exist. An exemption for spousal rape exists under laws criminalizing statutory rape and under laws criminalizing sexual contact between people with a supervisory relationship. Has not eliminated the statute of limitations for all felony sex crimes. Has a reduced statute of limitations for criminal prosecution if a victim chooses not to report or delays reporting the crime.

## Child Marriage

The age of consent for marriage is generally 18 years of age. Marriage can occur for 16 and 17 year olds with judicial approval. A lower age limit does not exist because one of the participants is pregnant, has been married before, or the individuals are active members of the armed forces. There is not a gender difference in the lowest age allowed to marry.



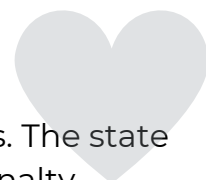
## Consent to Sexual Contact

The lowest age of consent for sexual contact is 15 years of age. The law does account for a difference in age between the individuals engaging in sexual contact. The law requires an exercise of free will for consent to sexual contact to be given but does not specifically require consent to be "freely given" or given by "affirmative consent." The law accounts for a person's developmental disability, mental capacity, consciousness, and intoxication impacting their ability to consent. The law accounts for the relationship between a victim and perpetrator impacting the victim's ability to consent.



## Discrimination & Hate Crimes

The state does have a hate crimes law and requires data collection on hate crimes. The state does not criminalize interference with religious worship. The state does have a penalty enhancement for crimes or an independent crime for crimes motivated by race, religion, or ethnicity. The state does have a penalty enhancement for crimes motivated by sexual orientation or gender identity. The state does not have a penalty enhancement for crimes motivated by gender. The state does have a penalty enhancement for crimes motivated by disability. The state does not have a penalty enhancement for crimes motivated by political affiliation or age.



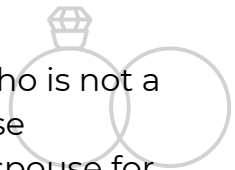
## Rape Kit Processing

The state has conducted a one-time inventory of untested rape kits. Testing of the backlog of untested rape kits has occurred through legislative action. Mandatory testing of new rape kits is required to occur. A rape kit tracking system has not been implemented. A survivor's right to notice does not exist. The state has provided funding for rape kit handling reform.



## Spousal Rape

The state does not treat rape of a spouse differently than rape of an individual who is not a spouse of the perpetrator when the spouse is unconscious, drugged, or otherwise incapacitated at the time of the assault. The state does allow for conviction of a spouse for raping their partner. An exemption for spousal rape does exist under laws criminalizing statutory rape. An exemption for spousal rape or unwanted sexual contact does exist under laws criminalizing sexual contact between people with a supervisory relationship.



## Statute of Limitations for Sexual Crimes

The state has not eliminated the statute of limitations for all felony sex crimes. The state does have a reduced statute of limitations for criminal prosecution if a victim chooses not to report or delays reporting the crime. A victim must report the crime to law enforcement within 10 years of its occurrence even if DNA evidence from a suspect is recovered in order for the DNA exception to apply. The statute of limitations for the most serious felony sex crime is 11-20 years. The statute of limitations is impacted by DNA evidence. If a victim reports a crime within 10 years of its occurrence and the defendant is identified, no statute of limitations exists for certain crimes.

