

SCORECARD

REPORT CARD ARKANSAS | 2020



Final Score
55%

13 8 0 4 2 4

19 10 10 7 4 6

Final Grade
C-

SCORECARD TOPLINES

No judicial approval required for a child to marry. A child can marry at 17 years of age with parental approval. Consent to sexual contact is not required to be affirmative or freely given. Does not have a hate crimes law or require collection of hate crimes data. Has not committed to testing backlog of untested rape kits. A survivor's right to notice does not exist. Funding for rape kit handling reform has not been provided. An exemption for spousal rape exists under laws criminalizing statutory rape & under laws criminalizing sexual contact between people with a supervisory relationship. Has not eliminated the statute of limitations for all felony sex crimes.

Child Marriage

The age of consent for marriage is generally 18 years of age. Marriage is allowed at 17 years of age with parental consent. Judicial approval is not required for a child to marry. A lower age limit does not exist if one of the participants is pregnant or if the child has been married before. There is not a lower age limit if the child is in the military. 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 does not require consent to be freely given or given by affirmative consent. The law accounts for a person's developmental disability or mental capacity impacting their ability to consent. The law accounts for a person's consciousness impacting their ability to consent. The law accounts for a person's 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 not have a hate crimes law and does not require data collection on hate crimes. The state does not criminalize interference with religious worship. The state does not have a penalty enhancement for crimes or an independent crime for crimes motivated by race, religion, ethnicity, or gender identity. The state does not have a penalty enhancement for crimes motivated by sexual orientation or gender. The state does not have a penalty enhancement for crimes motivated by disability, political affiliation, or age.

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Rape Kit Processing



The state has conducted an inventory of untested rape kits and the inventory is recurring. The state has not committed to testing of the backlog of untested rape kits. Mandatory testing of new rape kits is required to occur. A rape kit tracking system has been implemented through legislative action. A survivor's right to notice does not exist. The state has not 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. The state does allow for conviction of a spouse for raping their partner if the partner is unconscious, drugged, or otherwise incapacitated. 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 does not have a reduced statute of limitations for criminal prosecution if a victim chooses not to report the crime. The statute of limitations for the most serious felony sex crime is 21 years or more. The statute of limitations has not been eliminated for all felony sex crimes. Exceptions to the statute of limitations exist for DNA evidence. If DNA evidence leads to the identification of an offender, then there is no statute of limitations. DNA evidence for an unknown identification can also lead to "John Doe" prosecutions.