

Case Brief

Crim law, sexual offenses, statutory rape

Hughes, 3/7/15

Identity of Case

State v. Yanez, Rhode Island 1998, page 515

Summary of Facts/Procedural History

RI's statutory rape statute: strict liability offense.

The victim met the defendant at a party, they interacted, they potentially had a few intimate experiences, and then after one time having sex after he turns 18 and while she is 13, the mother catches the girl and pressure is applied on the prosecutor.

At trial, the defendant tries to raise a mistake of fact defense and is not permitted to introduce evidence that he thought she was 16 (it's plausible, but she also state she never told him she was 16).

Statement of the Issue

Should that evidence have been admitted to allow the defendant to make a mistake of fact defense?

Holding

No, statutory rape is a strict liability offense.

Reasoning

It provides the best protection to minors. One of the goals of punishment for crimes is deterrence. The goal is to make it the perpetrator's job to find out the age of the victim so that a crime is not committed. Although it may seem like the minor committed, we have determined as a society that even when a minor says yes it means no. allowing defenses for mistake of fact would negate the policy behind statutory rape crimes.

Evaluation

As a counterpoint, some states (I believe 2/5s) do allow such defenses in certain conditions. Where the age is really close for example, close to the buffer zone. Wouldn't really do to allow that defense when the perpetrator is a 50 year old man and the girl is 13 but looks 16.