

Sexual Assault Offenses

Chapter 21 and 22 of the Texas Penal Code

Sexual Offenses (ViCAP Criteria Cases)

Sexual Assault (PC 22.011)

Aggravated Sexual Assault (PC 22.021)

Other Sex Offenses* (Non-ViCAP Criteria Cases)

Public Lewdness (PC 21.07)

Indecent Exposure (PC 21.08)

Indecency with a Child (PC 21.11)

Indecent Assault (PC 22.012)

Continuous Sexual Abuse of Child (PC 21.02)

Improper Relationship Educator/Student (PC 21.12)

Improper Photography/Visual Recording (PC 21.15)

***Biological Evidence is Required**



Updated ViCAP Guidance for Texas Law Enforcement Officers



Pursuant to [Molly Jane's Law](#), all Texas sexual assault or other sex offense cases being investigated by a Texas law enforcement officer in categories 1-6 below shall be entered into ViCAP.

Updated guidance is being issued for Texas law enforcement agencies to ensure compliance with Molly Jane's law. Please review a special message from [Tracy Matheson](#), Molly Jane Matheson's mom, to hear more about Molly's story and the vital importance of the actions you take as a law enforcement officer to ensure that sexual assault offenders are identified and held accountable for their crimes.

When law enforcement officers open a sexual assault/other sex offense case, they shall enter the case into ViCAP.

All historical sexual assault/other sex offense cases that may still be active shall be entered into ViCAP according to the tiering below.

1. ViCAP criteria case, i.e., sexual assault, solved/unsolved that was committed by an unknown offender.
2. ViCAP criteria case, i.e., sexual assault, solved/unsolved that was committed by a stranger or known offender.
3. Non ViCAP criteria case, i.e., other sex offense, unsolved and subject to an active investigation, as defined by 420.003(3) GC, specifically those offenses listed where the offender penetrated the victim and biological evidence has been collected in an evidence collection kit.
4. Non ViCAP criteria sex offense case, unsolved and subject to an active investigation, as defined by 420.003(3) GC, specifically those offenses listed where the offender penetrated the victim.
5. Non ViCAP criteria sex offense case, unsolved and subject to an active investigation, as defined by 420.003(3) GC, specifically those offenses listed where biological evidence has been collected in an evidence collection kit.
6. Non ViCAP criteria sex offense case, unsolved and subject to an active investigation, as defined by 420.003(3) GC.

Before entry can be made, cases shall be:

1. Assigned to an investigator, i.e., active investigation.
2. Entered with all known data elements. Unknown values are valid; however, unknown should only be used when the investigator does not have information at the time of entry. Once the unknown value is known, agencies shall go back to ViCAP and update the information to reflect the most current and accurate information.

Do not enter cases where the victim is not participating in providing information necessary to facilitate entry. Entry should be made once the investigator has enough information from the victim about the offender and the circumstances of the offense to determine eligibility for entry into ViCAP. If a complaint has been determined to be unfounded, an entry into ViCAP should not be made. If a complaint is made and later determined to be unfounded, the entry should be deleted.