§ 3282. Offenses not capital

(a) In GENERAL.—Except as otherwise expressly provided by law, no person shall be prosecuted, tried, or punished for any offense, not capital, unless the indictment is found or the information is instituted within five years next after such offense shall have been committed.

(b) DNA PROFILE INDICTMENT—

(1) IN GENERAL.—In any indictment for an offense under chapter 109A for which the identity of the accused is unknown, it shall be sufficient to describe the accused as an individual whose name is unknown, but who has a particular DNA profile.

(2) EXCEPTION.—Any indictment described under paragraph (1), which is found not later than 5 years after the offense under chapter 109A is committed, shall not be subject to—

(A) the limitations period described under subsection (a); and

(B) the provisions of chapter 208 until the individual is arrested or served with a summons in connection with the charges contained in the indictment.

(3) DEFINED TERM.—For purposes of this subsection, the term “DNA profile” means a set of DNA identification characteristics.

Historical and Revision Notes


Editorial Notes

AMENDMENTS

1994—Pub. L. 103–322 struck out before period at end “except for offenses barred by the provisions of law existing on August 4, 1939”.

§ 3283. Offenses against children

No statute of limitations that would otherwise preclude prosecution for an offense involving the sexual or physical abuse, or kidnaping, of a child under the age of 18 years shall preclude such prosecution during the life of the child, or for ten years after the offense, whichever is longer.

Historical and Revision Notes


Words “customs laws” were substituted for “revenue laws,” since different limitations are provided for internal revenue violations by section 3748 of title 26, U.S.C., 1940 ed., Internal Revenue Code. This section was held to apply to offenses under the customs laws. Those offenses are within the term “revenue laws” but not within the term “internal revenue laws”. United States v. Hirsch (1879, 100 U.S. 33, 25 L.Ed. 539), United States v. Shorey (1889, Fed. Cas. No. 16,282), and United States v. Platt (1840, Fed. Cas. No. 16,854a) applied this section in customs cases. Hence it appears that there was no proper basis for the complete elimination from section 384 of title 18, U.S.C., 1940 ed., of the reference to revenue laws.