

OHIO AGE OF CONSENT/STATUTORY RAPE FACT SHEET

The legal age to consent to sex in Ohio is sixteen (Ohio Revised Code § 2907.04). Even if a teen and older individual claim they are both willing participants in the relationship or sexual encounter, in some situations it is still considered rape under the law. To determine whether a suspect has violated Ohio’s age of consent laws (also referred to as “statutory rape” laws), refer to the chart below.*

In cases where a relationship does not violate Ohio’s statutory rape laws, parents may intervene with other charges that are not sex offenses, such as contributing to the unruliness or delinquency of a child (ORC § 2919.24) or the charge of interference with custody (ORC § 2919.23).

Age Related Sex Offenses in Ohio

(See ORC §2907.04 - Unlawful Sexual Conduct with Minor)

Victim/Survivor's Age	Suspect's Age	Legal?	Penalty
Under 13 years old	18 or older	No	F1
13 years old	13-17	Yes**	--
	18-22	No	F4
	23 and older	No	F3
14 years old	13-17	Yes**	--
	18-23	No	F4
	24 and older	No	F3
15 years old	13-17	Yes**	--
	18	No	M1
	19-24	No	F4
	25 and older	No	F3
16 years old	13-17	Yes**	--
	18 and older	Yes**	--

*Even if a suspect does not violate an age related offense, if the sexual acts were forced or coerced, or the perpetrator is in a position of power over the victim, like a teacher, coach, parent and/or guardian, they are a violation of the law.

**The act is legal unless the act was forced, coerced, or the perpetrator is in a position of power over the victim, like a teacher, coach, parent and/or guardian.

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Minor's Consent to Rape Crisis and Healthcare Services

Generally, parents have the right to consent to the medical care their children will receive. However, there are some exceptions to this rule. The following chart lists instances in Ohio where minors may make decisions about their healthcare/mental health needs without a parent or guardian's permission. Note that if the minor is considered "emancipated" they are treated as adult under the law, and therefore they can make all decisions without a parent's input. (§2919.121 (A).) Ohio defines an emancipated minor as someone who is 1) married; 2) enlisted in the armed services, 3) self-employed and subsisting on their own; or 4) otherwise independent from the care of a parent/guardian/custodian.

Type of Care	May a Minor Consent?	Minor's rights	Limits	Ohio Statute
Sexual Assault Forensic Exam	Yes	<ul style="list-style-type: none"> Minor can consent to an exam for purposes of gathering evidence Minor should be informed of services for venereal disease, pregnancy, medical, and psychiatric care. Minor cannot be charged for services Parent cannot override minor's decision 	<ul style="list-style-type: none"> Hospitals are required to give written notice to parent, parents, or guardians that the examination took place. 	§2907.28, §2907.29
Rape Crisis Center Counseling Services	Yes for minors 14 years old or older	<ul style="list-style-type: none"> Can seek counseling at an out-patient center, such as a rape crisis center, as long as the services do not include medication. The treatment is confidential and care providers cannot notify parents (<i>see exception to right</i>) 	<ul style="list-style-type: none"> The care is limited to six sessions or 30 days, whichever comes first. (After that, parent must give permission to continue services.) Care provider can notify parents in situations where provider believes there is a substantial probability that the minor will harm themselves or others. 	§ 5122.04 (A) and (B)

Further Resources:

- **ACLU of Ohio**, "Your Health and the Law: A Guide for Teens," available at <http://www.acluohio.org/issues/TeenHealth/>
- **Ohio American Academy of Pediatrics**, Fact Sheet, "Teen Health, Consent, and Ohio Law," available at <http://www.ohioaap.org/files/TeenHealthConsent.pdf>
- **Ohio Bar Association**, "The Law and You," 13th Edition, Chapter 10, available at [https://www.ohiobar.org/General%20Resources/Law and You 010.pdf](https://www.ohiobar.org/General%20Resources/Law%20and%20You%20010.pdf)