



are committed, they both may be tried, and the defendant may be convicted and sentenced for both in a single prosecution as well. \*\*\* The second part of the Benson analysis asks “how many units have been shown” by the evidence at trial. We have already concluded from our Benson Part One analysis that the Legislature intended that both theories of indecency with a child may be pled and punished, even when the exposure precedes the contact and even when both acts occur within the same transaction. \*\*\* Here the evidence plainly established that Appellant committed both indecency with a child by exposure and indecency with a child by sexual contact. \*\*\* Thus, although Appellant has unquestionably been punished separately for both offenses, his double jeopardy right to avoid being punished twice for the same offense is not offended.