

NEWS-PRESS STAFF REPORT

September 10, 2013 5:51 AM

Gov. Jerry Brown on Monday signed legislation co-authored by Assemblyman Katcho Achadjian, R-San Luis Obispo, making coercing someone into sexual activity by impersonating somebody else punishable as felony rape.

AB 65, according to a statement, was modeled after similar legislation in Idaho and "drafted specifically to ensure that its provisions cover the myriad types of relationships that exist in modern society.

"Today's action by the Governor concludes a nearly three-year effort to close this outdated and unconscionable loophole that has denied victims the justice that they deserve," Mr. Achadjian said in a statement. "While Assembly Bill 65 cannot undo what was done to the victims in the Santa Barbara and Los Angeles County cases, it is my hope that knowing that future victims will be protected will bring them a small amount of comfort."

The Santa Barbara County case refers to a man who broke into the home of a sleeping Courtney Wettach and initiated sex with her after she thought him to be her boyfriend.

He was caught, but Mrs. Dudley was not able to prosecute the case as a felony rape "simply due to the fact that the victim lived with her boyfriend rather than with her husband."

The case led to Mr. Achadjian, in 2011, introducing AB 765, which would have extended the definition of felony rape to cases where an attacker coerced a victim into sexual activity by impersonating a co-habitant, like a live-in boyfriend or girlfriend.

The bill had unanimous Assembly support, but was held in the Senate Public Safety Committee.

Meanwhile, a state Court of Appeals panel overturned a rape conviction in a similar Los Angeles case, stating the victim had not been raped "because she was unmarried and the attacker had impersonated her boyfriend rather than her husband," according to the statement. "The outrage following the ruling brought national media attention to Assembly Member Achadjian's ongoing efforts to close this outdated loophole."

Thus, AB 65 was born - and now it is law.



Katcho Achadjian

COURTESY PHOTO

Mr. Achadjian praised Mrs. Dudley for her persistence in getting the measure approved.

"I am extremely grateful to Gov. Brown, Assembly Member Achadjian, and the entire California Legislature for coming together to close this loophole," Mrs. Dudley said in the statement.

"While nothing will undo what was done to her, I look forward to calling Courtney to let her know that her story has inspired the Legislature to act and that because of her bravery we will be able to deliver justice to victims in the future."

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