

California Legislature



KATCHO ACHADJIAN
Assembly Member, 33rd District

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Assembly Bill 765 Approved by State Assembly

Bill to Protect Unmarried Victims of Rape is First Achadjian Bill to Pass State Assembly

SACRAMENTO – Today, Assembly Bill 765, by Assemblyman Katcho Achadjian, of San Luis Obispo was approved by the California State Assembly on a 71-0 vote. The bill, which is the first of Achadjian’s bills to be approved by the full Assembly, will bring parity to statutes relating to rape, by clarifying that an attacker who coerces a victim into sexual activity by impersonating the victim’s cohabitant (live in girlfriend or boyfriend) can be prosecuted for felony rape. Under existing law, the attacker can only be charged with felony rape if the victim lives with a spouse and consents to sex under the belief that the attacker was their spouse.

“I am extremely thankful to my Assembly colleagues for approving this important measure,” said Achadjian following the Assembly’s approval of AB 765. “I have always believed that public safety should be our state’s number one priority; therefore I am pleased that my first measure to pass the Assembly is one that will help District Attorneys prosecute those who commit this heinous crime. My heart goes out to the victim whose story motivated me to author this bill. While no piece of legislation can heal the wounds associated with rape, I am hopeful that the continued success of this bill will bring her a small amount of comfort.”

Assembly Bill 765 was inspired by a recent case in Santa Barbara County in which the accused broke into the home of a female victim and instigated sexual activity with her while she was asleep in her bedroom. At first, the victim assumed that the attacker was her live-in boyfriend and consented to sexual intercourse. Upon realizing that the attacker was not her boyfriend, the woman resisted and her attacker fled. Although, the suspect was caught, the District Attorney could not prosecute him for felony rape simply due to the fact that the victim lived with her boyfriend rather than with her husband. Frustrated with her inability to prosecute that attacker for felony rape, the District Attorney turned to Assemblyman Achadjian for help.

“I am deeply grateful to Assemblyman Achadjian for his courage and leadership in seeking justice for countless victims of rape by fraud. I am also extremely appreciative that the Assembly took a significant step today in recognizing the importance of AB 765 by affirming that our rape laws should not treat married and unmarried victims differently,” said Santa Barbara County District Attorney Joyce Dudley. “I, and my fellow District Attorneys across this state, feel it is our responsibility to protect the innocent and prosecute the guilty. I believe this bill will be instrumental in achieving that objective.”

Assembly Bill 765 now moves to the State Senate for consideration.

For complete text of the bill please visit: www.leginfo.ca.gov

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Assemblyman Achadjian proudly represents all of San Luis Obispo County and part of Santa Barbara County, including the cities of Arroyo Grande, Atascadero, Paso Robles, Grover Beach, Guadalupe, Lompoc, Morro Bay, Pismo Beach, San Luis Obispo, Santa Maria and surrounding communities.