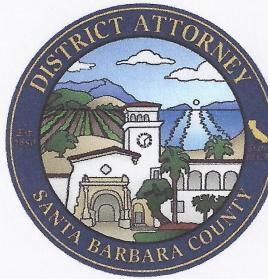


**OFFICE OF THE  
DISTRICT ATTORNEY  
COUNTY OF SANTA BARBARA**  
**JOYCE E. DUDLEY**  
District Attorney



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May 14, 2013

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*Joyce E. Dudley*  
APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

**Joyce E. Dudley, District Attorney**  
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\*\*\*\*\* PRESS RELEASE \*\*\*\*\*

May 14, 2013

**Achadjian Bill to Close Rape Loophole is Finally Approved by Senate Public Safety Committee**  
*Bipartisan Vote in Senate Committee Follows Unanimous Vote in the State Assembly*

Santa Barbara County District Attorney Joyce E. Dudley announced that today, Assembly Bill 65, by Assembly Members Katcho Achadjian (San Luis Obispo) and Bonnie Lowenthal (Long Beach), was approved by the Senate Public Safety Committee with a unanimous vote. The bill will bring parity to statutes relating to rape by clarifying that an attacker who coerces a victim into sexual activity by impersonating somebody else can be prosecuted for felony rape. AB 65 is modeled after similar legislation in Idaho and has been drafted specifically to ensure that its provisions cover the myriad types of relationships that exist in modern society. The Senate Committee's approval of AB 65 marked a significant change of direction from its previous action on a similar bill by Assembly Member Achadjian that was held by the Committee in 2011.

"For over two years District Attorney Joyce Dudley and I have been fighting to close this loophole. While our original efforts were stalled in the State Senate two years ago, I am grateful to the Senate Public Safety Committee for changing course and unanimously supporting our efforts this time around," commented Achadjian upon the Committee's vote. "Today's action marks a significant milestone in our efforts and brings us one step closer to ensuring justice for all victims of rape, regardless of their relationship status."

In 2011, Achadjian introduced 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 (live-in boyfriend or girlfriend). AB 765 was inspired by a case in Santa Barbara County in which the accused broke into the home of a female victim who had been sleeping. The perpetrator instigated sexual activity with the victim, who believed that he was her boyfriend. 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. Despite receiving unanimous support in the State Assembly, AB 765 was held in the Senate Public Safety Committee.

A recent State Court of Appeals decision overturned a rape conviction in a similar Los Angeles case. In its ruling the Court stated that the victim had not been raped because she was unmarried and the attacker had impersonated her boyfriend rather than her husband. The outrage following the ruling brought national media attention to Assembly Member Achadjian's ongoing efforts to close this outdated loophole. AB 65 represents a continuation of Achadjian's and Dudley's efforts. Like AB 765 in 2011, AB 65 was approved unanimously in the State Assembly.

"Too much time has already gone by," stated Santa Barbara District Attorney Joyce Dudley while testifying before the Committee. "I am hopeful that today is finally the day when a significant step forward will be made towards righting this wrong. We in government must work together quickly before another rape victim is denied justice," Dudley continued.

Assembly Bill 65 is jointly sponsored by Santa Barbara County District Attorney Joyce Dudley, Los Angeles County District Attorney Jackie Lacey and the California District Attorneys Association, and is supported by a broad coalition of public safety and victim's rights organizations. In addition to Assembly Members Achadjian and Lowenthal, the measure has been co-authored by 72 members of the Senate and Assembly, including Assembly Speaker John A. Pérez.

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