

NEWS



S E N A T O R
CONNIE M. LEYVA

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Senator Leyva Introduces “Justice for Victims Act”

SB 813 Eliminates Statute of Limitations for Rape in California

SACRAMENTO – On the first day of the 2016 legislative session, Senator Connie M. Leyva (D-Chino) today introduced important bipartisan legislation to end the statute of limitations for rape and related crimes in California. SB 813 seeks to ensure justice for victims and survivors of felony sexual offenses by allowing the indefinite criminal prosecution of rape, sodomy, lewd or lascivious acts, continuous sexual abuse of a child, oral copulation, and sexual penetration.

Existing California law presently generally limits the prosecution of a felony sexual offense to only 10 years after the offense is committed, unless DNA evidence is found which then offers a victim additional time.

“The purpose of the ‘Justice for Victims Act’ is simple: To prevent rapists and sexual predators from evading legal consequences in California simply because the statute of limitations has run its course,” Senator Leyva said. “Regardless of when a rape or sexual assault is discovered or reported, survivors of sexual offenses must have an opportunity to seek justice in a court of law. SB 813 does not change the burden of proof and victims will still have to prove their allegations in court, so all this bill does is extend the opportunity for victims to have their day in court. I thank the bill sponsors and legislative coauthors on both sides of the aisle as we work together to promote public safety, protect our neighborhoods and communities and ensure justice for all.”

According to the U.S. Department of Justice, only two in 100 rapists will be convicted of a felony and spend any time in prison. The other 98 percent will never be punished for their crime.

Principal coauthors Senator Fran Pavley (D-Agoura Hills), Assemblymember Mike A. Gipson (D-Carson), Assemblymember Das Williams (D-Carpinteria) and Assemblymember Autumn R. Burke (D-Inglewood)—as well as coauthors Assemblymember Rocky J. Chávez (R-Oceanside) and Assemblymember Tom Lackey (R-Palmdale)—have already signed on in support of SB 813.

“I am excited to join Senator Leyva in authoring this measure,” noted Assemblymember Gipson. “Far too many young women and men in my community have been the victims of very heinous crimes, and as a state we cannot hide behind the statute of limitations as a rationale for not giving justice and bringing closure to victims. As a former police officer, I have seen too many occasions where these crimes go unprosecuted simply because law enforcement did not have the tools and time to bring the accused to justice. This needs to end and will end by this bill being signed into law.”

The “Justice for Victims Act” is also co-sponsored by the California Women’s Law Center (CWLC) and the San Bernardino County District Attorney’s Office.

“This bill will allow victims of sexual assault to report crimes committed against them despite the passage of time. The California Women’s Law Center applauds Senator Leyva for introducing this legislation and being an advocate for victims of rape and sexual assault,” said CWLC Executive Director Betsy Butler.

The San Bernardino County District Attorney’s Office has also committed to ensuring passage of this public safety legislation that will assist victims in California.

“This bill is a no-nonsense effort to make sure that sex offenders and child molesters are held accountable for their actions,” stated San Bernardino County District Attorney Mike Ramos. “As advancements in DNA technology and evidence collection continue to progress, so should our laws. If evidence is discovered that could potentially prove a suspect guilty of a crime beyond a reasonable doubt, we have an obligation to our victims. Where is their justice? The law should not allow violent sexual predators the opportunity to escape justice.”

Senator Leyva is also pleased to have Gloria Allred, women’s rights attorney and partner with Allred, Maroko & Goldberg, in support of SB 813.

“The courthouse door should never be slammed shut to prevent rape and sexual assault victims from seeking justice because of an arbitrary time period called the statute of limitations. Law enforcement and district attorneys should be able to decide if they will arrest and prosecute based on the evidence in the case, and they should not be prevented from pursuing charges because the statute of limitations prevents them from seeking justice. It is long overdue for California to join states like New Jersey which have eliminated the statute of limitations for rape cases in order to bring justice to victims of sexual predators. I am happy to support California Senator Connie Leyva’s bill which seeks to eliminate the statute of limitations in California for rape, because if passed into law it will empower survivors of rape and sexual assault and allow many of them their day in court, which they would otherwise be denied,” said Gloria Allred, women’s rights attorney and partner with Allred, Maroko & Goldberg.

As the “Justice for Victims Act” was introduced today, the Senate Rules Committee will soon assign the bill to the appropriate Senate policy committee(s) for consideration.