DA-Sponsored Bill Giving Amnesty to Sex Assault Victims Approved by Assembly

AB 1927 to be Heard by Senate Public Safety Committee

Already, victims of sexual assault have difficulty reporting their abuse to police out of shame and fear of not being believed. When alcohol or drugs are involved in incident, the likelihood of reporting plummets. Under Assembly Bill 1927 (Boerner Horvath, D-Encinitas), victims of and witnesses to sexual assault will be given amnesty if they are under the influence of drugs or alcohol in an effort to increase reporting and participation in criminal prosecution. The bill was unanimously approved on the Assembly floor today.

“This bill provides legal protections to sexual assault survivors so they are not treated like criminals when they come forward to assist in holding their abusers accountable,” said District Attorney Summer Stephan, who is sponsoring the bill. “The last thing we want is for the criminal justice system to re-victimize victims of sexual assault who bravely come forward to report a terrible crime. Drugs and alcohol are often used by predators to facilitate their crime but then used against victims to discourage them from reporting.”

Current law makes it a crime to possess or use a controlled substance and for a minor to purchase and consume alcohol, which can create situations where sexual assault victims and witnesses choose not to come forward out of fear of prosecution in a separate trial.

“We know we already have a huge problem with the underreporting of sexual assault incidents,” said Assemblymember Tasha Boerner Horvath. “It’s hard enough as it is for victims to make the tough decision to come forward and describe their experience to close loved ones. The last thing we should be doing as a state is adding the fear of prosecution to their burden. It’s time we extend this amnesty to all sexual assault victims and witnesses in California so that we can remove this deterrent and pursue justice for these victims.” In 2018, there were more than 15,000 reported forcible rapes in California.

AB 1927 will next be heard in the Senate Public Safety Committee.
About the San Diego County District Attorney’s Office
The San Diego County DA’s Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.