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NEWS RELEASE



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Newsom Signs DA-Sponsored Bill Strengthening Sexual Battery Laws

VENTURA, Calif. – A crucial measure that closes a legal loophole in California’s sexual battery laws, Senate Bill 442, has been signed by California Governor Gavin Newsom. Authored by Senator Monique Limón and sponsored by Ventura County District Attorney Erik Nasarenko, SB 442 expands the definition of misdemeanor sexual battery to include instances where a perpetrator forces a victim to touch the intimate body part of the perpetrator or another person.

This bill addresses a significant gap in current law, which previously did not account for situations in which a victim is forced to touch a perpetrator against their will. Under the previous Penal Code section 243.4, perpetrators who engaged in such conduct could only be charged with simple battery, a lesser offense. SB 442 corrects this and ensures that all forms of non-consensual sexual touching are treated with the seriousness they deserve.

"This is a necessary step forward in protecting victims of sexual battery and ensuring justice is served in cases where perpetrators have been able to exploit a gap in the law," District Attorney Nasarenko said. "SB 442 makes it clear that forcing someone to touch another person against their will is as much an act of sexual battery as any other form of unwanted touching."

The need for this legislation was highlighted by a case in Ventura County where a co-worker forcibly grabbed an employee’s hand and placed it on his groin area. Under the previous statute, the co-worker could only be charged with simple battery, a charge more typically associated with minor physical altercations. SB 442 ensures that in cases like this, the conduct will now be charged appropriately as sexual battery.

"I am grateful that SB 442 has been signed into law and for the partnership with District Attorney Nasarenko to advance laws that close criminal loopholes and provide relief to victims of sexual battery," Senator Limón said. "Victims feel no less violated when their hands are forced to touch another person than when a person touches them. This legislation fills a gap in the law that would

otherwise allow sexual abusers to receive a minor infraction that does not fit the seriousness of their crime.”

Senate Bill 442 takes effect on January 1, 2025, and will enhance the safety and protection of all Californians by holding perpetrators accountable for all forms of sexual misconduct.

The governor also signed Senate Bill 268, which District Attorney Nasarenko supported. SB 268 will classify rape of an intoxicated victim as a violent felony. This classification means the offense qualifies as a “strike” under California’s Three Strikes law, substantially increasing punishment for recidivists and making offenders ineligible for early parole hearings. SB 268 similarly takes effect on January 1, 2025.