

# SEX CRIME • SEX OFFENSE

**Indecent Exposure • Sodomy • Child Molestation  
Sexual Battery • Pornography • Lewd Conduct • Rape**

## **Sex Crimes**

**California sex crimes** include all forms of *illegal sexual activity* ranging from the serious crime of **Rape** to the less serious crime of **Prostitution**. The more serious sex crimes involve **Child Abuse / Child Molestation**, *sexual assaults*, and *sexual battery*. Other California sex offenses include **Indecent Exposure (Lewd Conduct)**, **Statutory Rape**, **Date Rape**, **Prostitution**, **Solicitation**, **Pornography**, and **Sodomy**.

## **Sex Offenses - Time Matters!**

If you have been accused of or charged with committing a *California sex crime*, it is important that you immediately consult with a skilled criminal defense attorney who is experienced in handling these types of cases. The penalties for a **California sex offense** can be serious and life changing; the sooner you contact counsel, the better your defense will become.

## **California Sex Offense Definitions**

- **Indecent Exposure / Lewd Conduct** - California crimes involving public sexual acts or the exposing of the genitals in a public place fall under the category of *Indecent Exposure* or *Lewd Conduct*.
- **Sodomy** - Anal copulation by a man inserting his penis in the anus either of a man or woman is known as *Sodomy*. Oral sex may also be included in the **definition of Sodomy**.
- **Child Molestation / Child Abuse** - *Child Molestation* and *Child Abuse* are crimes of sexual nature that include both sexual assault and sexual exploitation with a child under the age of 14. [Read more about California laws and your Child Molestation / Child Abuse defense.](#)
- **Sexual Battery** - The definition of *Sexual Battery* is *unwanted sexual touching*. Consent is required for all acts of sexual touching and, in many cases, ignored unwanted sexual touching may lead to [Attempted Rape](#) or [Rape](#) itself.
- **Pornography (including possession or distribution)** - Pornography includes photographs, writing, artwork, and other forms of sexually explicit material derived for the purpose of causing sexual arousal.
- **Rape** - When sexual intercourse is forced, the crime of Rape has been committed. In California, **Rape is a felony** with [many variations.](#)

## TYPES OF RAPE

**Statutory Rape** is sexual intercourse with a female under the legal age of 18 but above the age of 14. **Statutory rape charges** are customarily brought by the parents of the victim, but in California they can be raised by the state. Charges can be brought against you if you impregnate a girl under the age of 18 even if the girl consents to the sexual act.

**Date Rape** is forcible sexual intercourse between people that know each other during a social engagement. The fact that the engagement is voluntary and that the parties knew each other is not a **defense** to a **California date rape charge**.

**Spousal Rape** occurs when one spouse forces the other spouse to have sex without their consent.

## Sex Crimes - MISDEMEANOR or FELONY?

Most California sex crimes are charged as a **felony**. Lesser offenses (*such as Indecent Exposure and Solicitation for Prostitution*) are charged as a **misdemeanor**. The decision to charge a crime as a misdemeanor or felony rests with the prosecutor. In California, many District Attorneys' offices have special prosecutor units (called **Sex Crimes' Units**) which aggressively pursue and prosecute California sex crime offenders. In some cases a knowledgeable criminal defense attorney, such as Stephen G. Rodriguez, if contacted early enough, may be able to minimize the sex offense charges you face.

**Penalties** - Many sex crimes that are charged as felonies carry maximum sentences of eight years in prison for each individual act. If a prosecutor charges multiple sex acts with an allegation of force then a defendant could be facing **many years in state prison** with the potential for life imprisonment. Additionally, the majority of serious sex crimes come with a lifetime of sex offender registration.

## Sex Crimes - Your California Defense

There are a number of defenses available to a California sex crime charge. Each defense will vary from crime to crime and may include one or more of the following:

- Insufficient Evidence
- Consent
- No Witnesses
- Mistaken Identity
- Lack of Physical Evidence (such as DNA)
- Other Possible Defenses

## **Taking the Right Steps**

A good criminal defense attorney will bring in an investigator who will interview all possible witnesses especially those favorable to the defendant. The attorney will make sure that the prosecutor will not ignore or overlook any evidence. The attorney can also arrange for a lie detector test to be administered to the defendant and present these results to the prosecutor. Gathering evidence on the accuser such as a background check, interviewing former friends and boyfriends, employers, and seeking out evidence of the accuser's mental state or hospital records is part of putting together an effective defense.

If you are accused of a California sexual offense or you are being investigated for one you should speak to an attorney immediately to learn about your rights, your defense, and the legal system. Contacting an attorney early on is critical. Do not attempt to speak to law enforcement without an attorney. Anything you say can and will be used against you. Do not contact the victim or their family. Contacting the alleged victim can make your situation worse and it may appear that you are trying to influence a witness. Resolution of a sex crime's case requires a combination of effective legal counsel, thorough investigation, and negotiation techniques.

## **The Right Attorney Makes the Difference**

We can provide an aggressive defense for crimes of all levels. You can rest assured that any and all options will be pursued to secure the best possible outcome. This includes plea negotiations, trial defense, and **alternative sentencing**.