

California SB145 – an anti-discrimination bill

written by Sandy | September 16, 2020



By Sandy . . . NARSOL's response to California's SB 145, drafted by Sen. Scott Wiener, passed by a majority of both houses, and signed by Gov. Gavin Newsom, is that the bill is not a sexual offense bill but an anti-discrimination bill. It puts the available legal options for criminal oral and anal sex equal to what they have been for criminal vaginal sex for decades.

Additionally, NARSOL is disgusted at those who have hijacked the bill and twisted its intent to further their own agendas. Article headers such as "Governor Newsom Signs Bill Giving Sex Predators Easier Access to Young Teens," "New Calif. law gives rapist [sic] potential protection," "California Democrats introduce bill to protect pedophiles who lure and sexually abuse innocent children," and claims that the bill applied to children as young as eight and that "PEDOPHILIA is now LEGAL in CALIFORNIA," a social media claim, show not only the ignorance of the writers but also their willingness to lie and distort the truth.

The bill applies only to teens ages 14 through 17 – the age of consent in California is 18 – in a consensual albeit illegal sexual relationship with a person up to ten years older.

The bill does not decriminalize the act. The older person will still be charged, prosecuted, and, if convicted, sentenced. This is as true of a 18-year-old with an 17-year-old as it is of a 23-year-old with a 14-year-old.

California law has for decades allowed judges' discretion and the right to consider each case individually when it comes to placement on the sex offender registry for heterosexual situations, but for homosexual situations, such discretion and individual consideration was not available; the convicted person was automatically placed on the registry.

All that California SB 145 does is rectify that inequity.