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## 33 Years of Feminism *From Marching in the Streets to a Seat at the Table*

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The Honorable Gavin Newsom  
California State Capitol  
Sacramento, CA 95814

September 20, 2021

### RE: Support for AB 1171, Spousal Rape Exception

Dear Governor Newsom,

Santa Barbara Women's Political Committee offers our strong support for Assembly Bill (AB) 1171. Our organization is one of the largest women's political committees in Santa Barbara County with approximately 300 members. We advocate for a diverse set of positions, which include Ending Crimes Against Women: <https://sbwpc.org/positions/>.

AB 1171 provides parity in California law and would require the same standards for spousal rape that are currently in the Penal Code (Pen. Code) for rape. Rape is universally acknowledged as a crime of violence that is both physically and psychologically traumatic to the victim. Here in California, rapists who are convicted under spousal rape law may face less severe sentencing and may not have to register as a sex offender. Until 1975 all states had similar laws distinguishing the crime of rape with the crime of rape of a spouse, but now California is one of only 11 states that still makes this distinction. There is no legitimate reason for this distinction in the law.

According to the National Coalition Against Domestic Violence (NCADV), between 10-14% of married women have been or may experience rape by their spouse. Additionally 18% of these victims state their children have witnessed the rape. When marital rape is not treated as seriously as other forms of rape, it invalidates the victims' traumatic experiences and continues to promote rape culture. Moreover, a rapist should not be shielded from punishment simply because the rapist is married to the victim.

Regardless of the relationship, rape is rape. AB 1171 eliminates this unnecessary distinction so we can ensure justice for victims of sexual assault. Specifically, AB 1171 repeals PC 262 and deletes "not the spouse of the perpetrator" from PC 261. There should be no reason for the disparate treatment in California law.

Thank you for reviewing our organization's position on this issue. Should you wish to communicate further with us, please email us at [info@sbwpc.org](mailto:info@sbwpc.org) or visit our website: [www.sbwpc.org](http://www.sbwpc.org).

Sincerely,

Luz Reyes-Martín  
President SBWPC