

OFFICE OF OPERATIONS

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12/5/24

NOTICE

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TO: All Office of Operations Personnel

FROM: Director, Office of Operations

SUBJECT: SENATE BILL 442 – SEXUAL BATTERY

The italicized content below

The purpose of this Notice is to notify Department personnel of the legislative changes to California Penal Code (PC) Section 243.4 (e)(1) – *Sexual Battery*. Effective January 1, 2025, California Senate Bill 442 expands the definition of Sexual Battery to include:

- Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse; *or,*
- *Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will, to masturbate or touch an intimate part of either of those persons, or a third person.*

Note: “Touches” means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

Note: “Intimate part” is defined by 243.4 (g)(1) PC as “the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.”

The unwanted touching must be of specific intimate parts **and** for the purposes of sexual arousal, gratification, or abuse. The perpetrator **does not** need to touch a victim’s intimate part for a sexual battery to occur and no restraint of the victim is required. A violation of 243.4 (e)(1) PC is a Misdemeanor.

If you have questions regarding this Notice, please contact the Office of Operations, Evaluation and Administration Unit, at (213) 486-6050.

DOMINIC H. CHOI, Assistant Chief
Director, Office of Operations

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