

## Definitions

**Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

- ✓ Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- ✓ Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed—

- ✓ By a current or former spouse or intimate partner of the victim;
- ✓ By a person with whom the victim shares a child in common;
- ✓ By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- ✓ By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- ✓ By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Sexual Assault** is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- ✓ Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- ✓ Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- ✓ Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- ✓ Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- ✓ Fear for the person’s safety or the safety of others; or
- ✓ Suffer substantial emotional distress.

For the purposes of this definition—

- ✓ Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- ✓ Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- ✓ Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

**Sexual consent** is an agreement to participate in a sexual activity. Both people must agree to sex — every single time — for it to be consensual. Without consent, sexual activity is sexual assault or rape.

Here are the basics of consent. Consent is:

- **Freely given.** Consenting is a choice you make without pressure, manipulation, or under the influence of drugs or alcohol.
- **Reversible.** Anyone can change their mind about what they feel like doing, anytime. Even if you’ve done it before, and even if you’re both naked in bed.
- **Informed.** You can only consent to something if you have the full story. For example, if someone says they’ll use a condom and then they don’t, there isn’t full consent.
- **Enthusiastic.** When it comes to sex, you should only do stuff you WANT to do, not things that you feel you’re expected to do.
- **Specific.** Saying yes to one thing (like going to the bedroom to make out) doesn’t mean you’ve said yes to others (like having sex).

The age of consent in California is 18. It is illegal for anyone to engage in sexual intercourse with a minor (someone under the age of 18), unless they are that person's spouse. Federal law makes it criminal to engage in a sexual act with another person who is under the age of 16 if they are at least four years younger than you. Consent of the younger person or [mistake](#) about their age is not a defense.