

## Los Angeles Sex Crimes Defense Lawyer Tracy Grayson

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If you are charged with a sex crime, contact the Law Office of Tracy Grayson, the leading sex crimes law office in southern California. We have represented a great number of clients falsely accused by ex-spouses and by others of doing things they did not do. For example, in divorce or child custody cases, sometimes a spouse will completely make up a sex crime just to get more child support money or because they are mad that their soon-to-be-ex has moved on to someone else. Moreover, lawmakers can be fanatical when it comes to sex crimes because they know that everyone hates real sexual predators. But just because you get falsely accused or made one mistake does not mean that you are a predator. Call our office now! We will aggressively defend you against these charges.

Recently, in 2012 in Los Angeles county, Mr. Grayson successfully defended a young man of middle school age against forcible oral copulation charges involving minors under the age of 14 years, including one young female student who had volunteered to orally copulate his client in a school bathroom, as she had admittedly done with other boys at the school.

### The Law

Sex crimes include rape, indecent exposure, lewd acts against a minor (a "288"), child molestation, sex or sexual acts with minors, sexual battery and abuse, assault with intent to commit rape, sodomy or oral copulation, date rape, statutory rape, unlawful sexual intercourse,

child pornography (possession, sale and distribution), internet sex crimes, sex offenses against intoxicated, unconscious, and disabled persons, forcible penetration with a foreign object, forcible sodomy, and forcible oral copulation. Our office also successfully handles prostitution, solicitation, and pimping and pandering cases, as well as crimes involving improper touching, sexual harassment, sexual addiction, sex offender registration, and sex crimes involving prostitution houses and massage parlors.

There are dozens and dozens of sex crimes listed in the Penal Code, and the punishments vary from six months in the county jail to life in prison. When these crimes are charged as felonies, the penalties are much more severe and you could potentially go to prison for many years, and even for the rest of your life. Many sex crimes not only carry heavy prison sentences and stiff fines but also constitute strikes under California's Three Strikes law. For example, aggravated sexual assault of a child under 14 years is a strike and carries a sentence of 15 years-to-life in prison.

Some common sex crimes include rape, indecent exposure, and lewd acts against a child:

*Rape* occurs when the defendant has sexual intercourse with a woman (including a spouse) without her consent, and the sexual intercourse was accomplished by using force, violence, threats or duress. Sexual intercourse includes any penetration of the vagina or genitalia by the penis no matter how slight, and ejaculation is not required. A woman who initially consents to intercourse may change her mind during the act and the defendant must stop. Rape is a violent felony, constitutes a strike, and carries up to eight years in state prison for a single-count, first-time conviction.

*Indecent exposure* occurs when a person exposes their genitals in the presence of others who might be offended or annoyed by such action, and the person exposing their genitals intended to get public attention for their own or another person's sexual gratification or to offend another person. It is not necessary that the other persons actually see your genitals. This crime can be charged as either a felony or misdemeanor and you could receive up to six months in the county jail for a misdemeanor conviction or up to three years in state prison for a felony conviction.

A *lewd or lascivious act* on a child under 14 years of age occurs when a defendant touches any part of a child's body (even while they are clothed) or makes a child touch the defendant's or some third person's body; the act is committed to sexually arouse or gratify the child or the defendant; and the child was under the age of 14 at the time the act was committed. It is no defense that the child consented to the act. Note that a minor, even one under 14 years of age, can be charged with this crime (in juvenile court). This crime constitutes a strike and carries up to eight years in state prison for a single lewd act conviction.

Keep in mind that the DA or prosecutor may be able to add enhancements or special allegations to the main charge. Such enhancements include personal use of a weapon, causing serious bodily injury to the victim (GBI), committing sex crimes against minors, the elderly and the disabled, and having certain prior sex crime (and some non-sex crime) convictions. Attorney Grayson has even had a case where the DA alleged that the resulting pregnancy from the client having sex with a minor victim constituted great bodily injury. When enhancements are added, you risk spending a lot more time in prison.

Habitual or repeat sex crime offenders could face enhancements which might send them to prison for 15-years-to-life, 25-years-to-life, and even life without the possibility of parole. In fact,

under the so-called "one strike" sex crime law, a first-time sex offender could face a sentence enhancement that could put them in prison for 15- or 25-years-to-life where specific factors are involved, including: having certain prior sex crime conviction(s), committing residential burglary with the intent to commit a sex offense, committing aggravated mayhem or torture during a sex crime, kidnaping the sex crime victim, etc.

If you are convicted of a sex crime involving multiple acts or victims, in many instances the court is bound to impose a *consecutive* sentence for each offense if the crimes involve separate victims or involve the same victim on separate occasions.

Regarding registration, Penal Code section 290 requires that most people convicted of sex crimes must register with local police every year for the rest of their lives and every time they move to a new city. Under the so-called "Megan's law," you are required to post your name, a picture of yourself, your address, and the crime for which you were convicted on the internet for public viewing. As of January 1, 2012, no one can be excluded from this requirement unless the person has a low or moderately low risk level under the State Approved Risk Assessment Tool for Sex Offenders (SARATSO), which is intended as a predictive tool for sexual assault recidivism.

### **Possible Consequences**

County jail or state prison (possibly for life in aggravated cases)

Probation or parole

Having a criminal record (which may or may not be later expunged, reduced, or dismissed)

Fines and fees involving hundreds or even tens of thousands of dollars in aggravated cases

Anger management or other classes (your time and money)

Community service or work (your time and money)

Restitution or reimbursement to the victim for medical bills, etc.

A strike which could result in longer prison sentence(s) now or if you commit future felonies

No longer able to own, use or possess a gun or weapon

Could affect current job, future employment or professional license

Could affect your driver's license

Restraining or protective order will be issued

Could affect child custody and visitation arrangement with fellow parent

May have to move out of you and your spouse's home

May not be able to have contact with your own children

Sex offender registration (lifetime)

GPS monitoring of sex crimes convict

Residence restrictions (2000 feet away from school and parks)

Posting of your name, picture, address, and sex crime conviction on a public internet website

Possible classification as a sexually violent predator (lifetime)

Commitment to a state mental hospital (lifetime)

Damage to your reputation and alienation from family, friends, and society

## **Defenses**

When it comes to sex crimes, the best defense is a good offense. Your first offensive move is to hire a skilled, dedicated and seasoned attorney like Tracy Grayson early on, preferably the day you are arrested. Realize that once you are arrested, the alleged victim has no control over "pressing charges" because once the police and the DA or prosecutor are involved, they have complete control over whether charges will be filed against you. It does not matter if the alleged victim wants to "drop the charges."

Nevertheless, Mr. Grayson has been very successful in convincing the DA or prosecutor to dismiss at least some of the charges in many of his cases, and has otherwise employed various legal tactics to obtain lesser charges and to otherwise ensure a great outcome for his clients in sex crime cases. Some lesser sex crime charges include simple battery or assault, unlawful sexual intercourse, sexual battery, contributing to the delinquency of a minor, and child endangerment.

Mistaken identity, witness credibility, consent, and lack of evidence are all common defenses and issues which have come up during Attorney Grayson's 17 years of successfully fighting sex crime cases. These defenses and issues are especially evident where the so-called victim gives inconsistent statements (lies) and where they have volunteered or consented to the sex act. Keep in mind that, where consent is an issue, a defendant must have actually and reasonably believed that the alleged victim consented to the intercourse. Also important is the fact that you have witnesses who were present during the incident and can corroborate your story; or that during the incident there were no witnesses at all, which means it is the victim's word against your's.

Police officers are usually not present when sex crime incidents occur, but they can still be important witnesses. They can be important if, for example, they find indicia of sexual crimes when you or your property are searched (never consent or agree to a search!); they see injuries on the victim's face or body and then take photographs or the person is taken to a hospital to be medically examined; or when you say something incriminating (never talk to the police!); etc. In some instances, searches of your person and property may be illegal, and if so, the evidence could be suppressed and your case dismissed.

Our law office conducts thorough investigation to get a history on the alleged victim's background and employs the use of highly qualified psychologists, psychiatrists, and other experts. We are well aware that in some cases "taint" can occur when children are subjected to biased and suggestive interviews. To counter this unfortunate circumstance, we employ the use of child suggestability experts to uncover this bias. We also key in on blatantly false allegations related to child custody disputes, and are well aware that sometimes people just like attention. And in some cases, the false accuser is simply trying to extort money from the defendant.

Regardless of the situation, as an experienced, aggressive attorney, Tracy Grayson will thoroughly review, investigate and prepare your case, interview your witnesses, obtain additional discovery, research complexities in the law, prepare motions, appoint or hire the best experts, aggressively fight for your freedom in court, and make certain that we do everything possible to win your case.

If you want to beat your sex crime case, [contact attorney Tracy Grayson today!](#)