



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

UCLA sexual assault survivors win shot at justice

AB 3092 allows one-year window for civil cases against campus OB-GYN

SACRAMENTO (August 28, 2020) – A measure that would give sexual assault survivors of a UCLA campus OB-GYN a shot at justice in state civil court won approval today from the state Senate.

Assembly Bill 3092 by Asm. Buffy Wicks (D-Oakland) and backed by Consumer Attorneys of California would allow former students to press ahead with legal claims against Dr. James Heaps and UCLA even if the statute of limitations on their cases may have run out.

The bill would allow women who were molested by Heaps during his more than three-decade affiliation with UCLA a one-year window to file a civil lawsuit. In addition, dozens of women who have already filed lawsuits against Heaps and the university would not face statute of limitations challenges.

AB 3092 now goes back to the Assembly, where it is expected on Sunday to win final approval of amendments adopted in the Senate and then move to the desk of Gov. Gavin Newsom.

A similar bill was signed into law last year that allowed sexual assault survivors of USC campus gynecologist George Tyndall to file suit. That legislation, however, excluded public universities like UCLA.

Aside from civil lawsuits, Heaps already faces 20 felony charges brought by Los Angeles County prosecutors alleging sexual abuse of patients during medical exams. Heaps, who has pleaded not guilty, faces a possible maximum sentence of more than 67 years in state prison.

Sexual assault survivors also want to also hold the university accountable in civil court because of what they describe as a cover-up. UCLA failed to disclose that Heaps had been the subject of complaints and investigations until he was criminally charged by prosecutors in 2019, roughly a year after he had retired.

Meanwhile, another CAOC-backed bill won Senate approval and is headed to the governor.

AB 3366 would give the state chief justice power during future statewide emergencies – war, acts of terrorism, natural disasters, and epidemics – to do what it takes to keep the wheels of justice turning. The measure is a response to problems that cropped up at the start of the COVID-19 pandemic, as pleas for a shift in court deadlines and to move more court operations onto the web went unaddressed. It took an executive order by the governor to give the chief justice the necessary power to act. AB 3366 will allow the chief justice to take swifter action in the future.

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