



**COUNTY OF YOLO**  
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**FOR IMMEDIATE RELEASE**

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**DAVIS STUDENT CONVICTED OF  
RAPE OF UNCONSCIOUS VICTIM**

**(Woodland, CA)** – September 27, 2017 Yolo County District Attorney Jeff Reisig announced that yesterday the Honorable David Reed found Najee A’Ve guilty of two felonies including, Rape of an Unconscious Person and Sexual Penetration by Foreign Object of Person under 18 years of age. This was a court trial as both the defense and prosecution waived their right to a jury. A’Ve is from Detroit and is now 24 years old. At the time of the crime, A’Ve lived in Davis and was taking summer school classes at Sacramento State and was in the process of applying to UCD.

On August 2, 2013, A’Ve went out drinking and upon returning to his apartment was heavily intoxicated. A 17-year-old high school student was staying at the apartment and sleeping on the downstairs couch. She was a family friend of one of A’Ve’s roommates. The 17-year-old woke up shocked to find A’Ve raping her. She was eventually able to squirm away. Eventually, A’Ve went to sleep and the 17-year-old escaped to her friend’s room who got her out of the apartment and to the safety of her family where the police were called. A DNA sample was collected from the victim and analysis showed a DNA match for A’Ve.

A'Ve testified, admitting to getting drunk, but said that he did not remember anything after getting home that night. He also admitted prior instances when he would get drunk and not recall conduct that he'd engaged in. The defense put on a doctor who testified that A'Ve was likely suffering from "sexsomnia" which is a type of sleep walking state in which the person engages in sex while asleep. The doctor admitted that this would have been brought on in part by the alcohol.

The Court rejected the "sexsomnia" defense and found A'Ve guilty of Rape of an Unconscious Person and Sexual Penetration by Foreign Object of person under 18 years of age. The Court found A'Ve not guilty of Assault with Intent to Commit a Sex Crime on a Minor.

Deputy District Attorney Martha Holzapfel prosecuted the case. "In this case a young woman was subjected to a horrible assault because a man decided it was okay to get drunk regardless of the consequences to others," said Holzapfel. "The victim showed amazing courage and our Victim Services advocate and the UCD advocate should be commended for supporting her every step of the way."

District Attorney Jeff Reisig stated, "Hopefully this verdict sends a message warning other students that they will be held responsible for their drunken conduct when they hurt others."

A'Ve was remanded to county jail pending sentencing which is scheduled for October 25, 2017, in front of the Judge Reed. A'Ve's sentence could range from probation and a year in county jail to eight years and eight months in prison.

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