



STANDPOINT

Attorneys & advocates against domestic & sexual violence

February 17, 2021

Dear Committee Chair and Members:

Re: Criminal Sexual Conduct Statutory Reform Working Group (CSCSRWG) Report

Standpoint, formerly known as the Battered Women's Legal Advocacy Project (BWLAP), is a statewide organization whose mission is to promote justice for domestic and sexual violence victims. We provide limited direct representation, legal information, training, litigation support, and expert support on program and legal issues. Since 1996, our agency has established a statewide reputation as the premiere legal resource for domestic and sexual violence victims, as well as those who work with them including advocates, attorneys, and other systems professionals. Standpoint exists to respond effectively to the constantly evolving legal needs of domestic and sexual violence victims and is the first resource people consult in a legal crisis.

Many sexual assault victims are unable to find justice through Minnesota's current criminal justice system. Through our work, we interact with many victims who have suffered great harm, physically and/or emotionally, due to sexual violence. In many cases, prosecution does not have the tools available to them to charge these offenders because of the current criminal sexual conduct statutes.

Standpoint supports the work of the Criminal Sexual Conduct Statutory Reform Working Group (CSCSRWG) and the recommendations set forth in their report, in their entirety. We write to specifically note the experiences of the people we serve, and provide concrete examples of what kind of acts are not currently criminally addressed. The recommendations are narrowly tailored to address the needs that victims are bringing to our attention, and provide the tools necessary for offenders to be prosecuted.

We frequently hear from victims of how they are coerced into sex acts. The suggested addition of Sexual Extortion would address this concern. Some examples of this include:

- Landlords requiring impoverished individuals to submit to sex, or lose their housing
- Landlords refusing to correct unlivable conditions (no heat, unworkable plumbing) unless the tenant submits to sex acts with the landlord
- Individuals threatening to publish or provide to another person private sexual images of the victim unless the victim submits to sexual acts
- Managers or supervisors threatening to terminate the victim's employment unless the employee submits to a sex act

The added language to the definition of "mentally incapacitated" address situations where people are intoxicated to the level of not being able to give consent to engage in sexual contact. We often hear from victims who were intoxicated to the point of being unable to provide consent to the sexual contact. Some victims learn of their victimization after the fact, or pass out and wake up to a person touching their body without their consent. Our current statutes do not address

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this, unless the victim unknowingly ingested the intoxicating substance. Victims who choose to drink or become intoxicated do not choose or consent to be sexually assaulted. Furthermore, offenders who perpetrate on those unable to give consent negatively impact our communities and public safety.

The other recommendations also serve the needs of victims by clarifying and simplifying the current statutes to ensure more accountability for offenders, and justice for victims. We ask for your support in moving this bill, HF 707, forward.

Sincerely,

A handwritten signature in black ink, appearing to be 'Rana Alexander', written in a cursive style.

Rana Alexander, Esq.
Executive Director