



OJP PROPOSAL

Crime victim rights and technical changes

HF3825/SF3871

This proposal includes five separate provisions: Two minor statutory changes to correct oversights related to victims and three statutory changes that would enhance crime victim rights

Protection over victim identity

This proposal would expand the protections over victim identity to include the crime of using a minor in sexual performance (section 617.246). The purpose of section 609.3471 is to protect the identity of minor victims of crimes related to sexual assault, abuse, and exploitation. The use of a minor in a sexual performance is a crime that falls into that category and these victims should be similarly protected.

Protection against employer retaliation

This proposal would expand the protections against employer retaliation provided to victims of violent crime to include victims of stalking (section 611A.036). The crime of stalking is consistent with the other listed under the definition of violent crime and was likely inadvertently omitted during the years where the definition of stalking and harassment changed back and forth.

Ensuring victim notification of plea and sentencing hearings

This proposal would establish a procedure during plea and sentencing hearings that places a duty on the judge to inquire if the victims have been notified of the hearing, are present, have received their statutorily required notifications, and wish to be heard.

Protection of victim identity in sentence adjustments

This proposal would eliminate the requirement that the victim be specifically identified in a prosecutor's petition for a sentence adjustment (609.133). The prosecutor will still have the responsibility to notify the victim of the petition under section 609.133, subd. 5.

Notice to victim when an offense is eligible for automatic expungement

This proposal would expand the circumstances where the prosecutor is required to notify the victim that an offense is eligible for automatic expungement. Currently under section 611A.03, subdivision 1, when a prosecutor notifies the victim of the contents of proposed plea agreement, they must also notify them of "the eligibility of the offense for automatic expungement under section 609A.015." There is no similar notice requirement for situations where the outcome of a case is a conviction or dismissal in the absence of a plea agreement, or if the defendant is acquitted.

March 20, 2026

The Honorable Peggy Scott
2nd Floor Centennial Office Building
St. Paul, MN 55155

The Honorable Tina Liebling
5th Floor Centennial Office Building
St. Paul, MN 55155

Re: HF 3825 (Repinski) – Ensuring Victim Notification

Dear Chair Scott and Chair Liebling,

We write to offer our strong support for HF 3825 (Rep. Repinski), which directly addresses a common barrier for survivors of sexual violence to justice and accountability. We urge the committee to advance this legislation.

As you may be aware, RAINN is the nation's largest anti-sexual assault organization. Founded in 1994, RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE and hotline.rainn.org). RAINN also carries out programs to support victims, educate the public, and improve public policy.

Victims in Minnesota have the right to know the contents of a plea agreement and to be present and heard about the plea agreement and any sentence. However, there are no statutory provisions to ensure compliance. HF 3825 supports victims and their participation in the criminal justice process by requiring that a court verify the victim has been notified of the contents of the plea agreement and inquiring whether the victim wishes to provide input about the plea agreement or the sentence.

While nothing can undo the circumstances that caused a victim harm, the criminal justice system should be a place of justice and healing for victims. Unfortunately, as one advocate stated "...the criminal justice system places victims in a passive



position. They feel powerless and vulnerable; some even feel twice victimized, first by the offender, and then by the police and the courts who often overlook their needs.”¹

At RAINN, we hear from survivors who experience these feelings of injustice when they are unaware of plea agreements, or are not allowed to express to the courts the impact that sexual violence had on them, their families, and their communities. Failing to hear from victims is also a public safety concern. There are repeated cases of serial offenders being allowed to continue their acts of violence because courts did not hear from victims, and as a result believed the offenses were isolated incidents or not as severe. In cases of sexual assault, survivors were silenced by the very nature of the crime, and the criminal justice system needs to do everything possible to restore their voice.

Fair treatment of victims, acknowledging the harm caused, and having the courts listen are important to a survivor’s healing. Victim voices matter to how victims feel about the criminal justice experience, and it matters to case outcomes. In one study, 90% of judges reported that the information in victim impact statements was useful in determining appropriate sentences.² In the same research, victims reported that being heard improved their perception of the prosecutor, the justice process, and that it promoted their healing.

HF 3825 will help support victims in finding justice and healing, and will protect communities. We urge you to move this bill forward and support survivors of sexual violence in Minnesota. Thank you for your consideration and continued leadership.

Sincerely,
Sandi Johnson
Senior Legislative Policy Counsel

¹ Dr. Mark Umbright, Director of Research and Training at the Center for Victim Offender Mediation at the Minnesota Citizens Council on Crime and Justice, University of Minnesota, Alexander, Ellen & Lord, Janice, *A Victim’s Right to Speak, A Nation’s Responsibility to Listen*. U.S. Department of Justice, Office for Victims of Crime. (1994, July 15).

² Alexander, Ellen & Lord, Janice, *A Victim’s Right to Speak, A Nation’s Responsibility to Listen*. U.S. Department of Justice, Office for Victims of Crime. (1994, July 15).

