

February 18, 2021

Chair Carlos Mariani
479 State Office Building
St. Paul, MN 55155

RE: HF 707 (Moller)

Chair Mariani and members of the House Public Safety Committee,

My name is Megan Arriola, and I served on the Criminal Sexual Conduct Statutory Working Group from its beginning in July of 2019 until December of 2020. I am thrilled to write this letter in support of the working group recommendations found in HF 707 before your committee.

I joined the working group as a victim survivor member. I was in a sexually and psychologically abusive relationship for two years when I was a teenager. Once I escaped the abuse, I became an advocate for victim survivors to find their voice and tell their stories. Through this advocacy work, I have heard countless tales from thousands of people that painted a heartbreaking picture of the trauma and damage that can be done to a person at the hands of an abuser. Many survivors hesitate to call what happened to them rape, assault, or even a violation, because there is an internalized “hierarchy of trauma” that many survivors feel they cannot meet. Where do these kinds of internalized thoughts begin in our society? Just look at the way that Minnesota’s criminal sexual conduct (CSC) laws are written currently.

I am a law school graduate, from the University of St. Thomas’ School of Law. When I began to study the CSC statutes at the federal and state levels, I was shocked and disgusted by how high the standard was set for an assault to meet the statutory requirements to be adjudicated in the criminal law system. I learned that the torment and assaults I had endured while in my relationship, even though I was a minor, would be all but impossible to prosecute, never mind how successful that prosecution would be to a jury of his peers. Numerous times in our relationship, my abuser would hold me hostage in the relationship by reminding me that he had saved numerous intimate pictures I had sent him, and reminding me how easy it would have been for him to disseminate those pictures among my family, friends, and professional connections. Often this reminder would come as I refused to have sex with him consensually, or tried to leave the relationship.

When I heard about the bill proposing the formation of this group in 2019, I was ecstatic. When I had the opportunity to join it as a member and speak up for all of the victim survivors I had come to love and want to protect, I was even more than ecstatic. The composition of this group, dictated by Rep. Moller’s incredible leadership in her bill establishing the group, was thoughtful and intentional in the diversity of lived experiences that needed to be in the room. I saw lawmakers, social workers, fellow victim survivors, law enforcement professionals, prosecutors, criminal defense attorneys, judges, and advocates all sitting in the same space determined to fight for the same goal: make Minnesota a state where sexual violence is recognized in our statutes as the heinous crime it is.

I will admit my bias and tell you that I expected the most pushback on the group’s mission from the defense attorneys who were members. However, I quickly learned that the current statutory makeup

does not accurately reflect the types of cases they defend. The defense attorneys in the group wanted the statutes to accurately reflect the crimes before the bench, so they could provide truthful and zealous advocacies to their clients, without causing more harm to the victim.

I joined the sub-committee on coercion, and went in expecting the conversation to take some time to build up to the validation of coercive control as a means of harm against a victim survivor. What I found was that everyone was willing to listen, learn, admit what they didn't know, and validate and give authority to the voices of the survivors in the room. Even though I am experienced at speaking about my assaults and abuse, it is still nerve-wracking each time I begin to speak about that trauma. Among the working group, that nervousness dissipated quickly. My voice was heard, and given as much validity as the voice of the lawmaker to my left and the judge to my right.

I paint this picture of the culture that was present in each CSC working group meeting because I want you to know how this language was crafted. It was crafted intentionally, in a trauma-informed manner, and with input from every single person that would be involved in a criminal trial for sexual assault.

This bill is just a starting point, and Rep. Moller's A1 amendment adds language that makes this "first step" clear. Our society is at a point where the onus of a crime committed is placed less on the victim survivor to "protect" themselves from harm, but rightfully on the abuser who committed the atrocity. Updating our CSC statutes to remove victim-blaming language, replace outdated standards, and adapt to what our society now actively recognizes as sexual violence will make Minnesota a leader in the survivor advocacy field.

I hope this bill passes out of this committee with bipartisan support. Sexual violence does not discriminate by gender, race, sexual orientation, or political affiliation. Every single member on this committee, whether you know it or not, has someone in their lives that has been affected by sexual violence. Show them you see them, honor their trauma, and are using your privileged position to serve future victim survivors better by enthusiastically and emphatically voting "YES" on HF 707.

Thank you for allowing me to submit my testimony,

Megan Arriola (she/her)

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