



# MINNESOTA STUDENT ASSOCIATION

May 2, 2021

Dear Chair Mariani, Chair Limmer, and members of the Conference Committee,

My name is Sam Parmekar and I am the State Government Director for the Minnesota Student Association, the undergraduate student government at the University of Minnesota - Twin Cities. I write to you today to urge you to adopt the Good Samaritan controlled substance protections for survivors of sexual assault (HF 289/SF 774) included in the House version of the Judiciary and Public Safety omnibus bill.

Article 15, Section 26 of the House bill provides limited immunity from prosecution for fifth-degree possession or consumption of controlled substances. The provisions apply to both sexual assault survivors and up to three bystanders offering assistance from prosecution for fifth-degree controlled substance crimes. This is an important step to take to ensure that survivors who were assaulted under the influence don't fear prosecution for low-level substance offenses if they choose to come forward.

Importantly, this language creates conformity with existing statutes. Section 340A.503 establishes "medical amnesty" for minors who seek emergency assistance for an alcohol-related medical emergency, while Section 604A.05 provides similar Good Samaritan protections to those seeking help on behalf of the victim of a drug overdose. These statutes apply narrowly to medical emergencies, and the language in the House bill would simply expand applicable circumstances to include instances of sexual assault. Both existing statutes were written with the intent of encouraging Minnesotans to help others experiencing crisis. In our view, we should expand these protections to cover sexual assault so that bystanders can provide help to anyone who needs it, without worrying about legal red tape

These protections are incredibly important as we seek to end sexual assault on college campuses. A majority of survivors are assaulted while under the influence of drugs or alcohol, and perpetrators frequently use controlled substances to incapacitate survivors. Additionally, the stigma and fears of not being believed associated with being assaulted under the influence precludes many survivors from reporting. According to the American Association of Universities, 54% of women survivors who chose not to report their assault listed the fact that they were intoxicated as a reason for not doing so. Students constantly hear about the legal and academic consequences of drinking and drug use, which causes survivors to fear the ramifications of coming forward if they were assaulted under the influence.

This is a measured, common-sense approach in line with other proposals to create policies that better support survivors of sexual assault. This language was unanimously passed by the House Public Safety Committee in February, and has a bipartisan list of co-authors. It has also been consulted with stakeholders; similar policies are already in place in the University of Minnesota Police Department and the Minneapolis Police Department. Please help us support survivors of sexual assault, on college campuses and across the state, by adopting Article 15, Section 26 of the House omnibus bill.

Respectfully submitted,

Sam Parmekar  
State Government Director  
Minnesota Student Association