



The Advocates for Human Rights supports public policy that ensures
Minnesotans can live with dignity.

February 17, 2021

Honorable Kelly Moller
Minnesota House of Representatives
569 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1298

Honorable Marion O'Neill
Minnesota House of Representatives
357 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1298

RE: Support of H.F. 707

Dear Representatives Moller and O'Neill:

The Advocates for Human Rights supports H.F. 707 and thanks you for your leadership. Sexual violence is a serious crime that can have a devastating impact on victims. Minnesota must prevent sexual violence from happening. Ensuring that crimes are defined properly and that prosecutors have the tools they need is an essential part of that prevention. H.F. 707 includes important legislative changes to ensure that individuals who exploit others for sexual gratification will be held accountable.

Specifically, we support the proposed definition of “mentally incapacitated,” which clearly specifies that persons who are very intoxicated – even voluntarily – should be free from unwanted sexual conduct. The current law, which fails to protect people from unwanted sexual conduct in such situations, sends a dangerous message that once a person is so intoxicated that they cannot consent, consent is not needed. This conduct is wrong, and it is time to hold people accountable for this form of sexual exploitation.

We also endorse the proposed language prohibiting sexual extortion. Simply put, exploiting people’s circumstances – like their need for housing or a job or their fear of losing their children or being deported – to extort sex is wrong. Such threats can be every bit as powerful as physical force or other types of coercion, but right now, Minnesota lets people exploit others’ vulnerabilities to extort sexual “favors.” H.F. 707 fills this gap in legal protection.

Finally, we are heartened to see the proposal to convene a working group to study the predatory offender statutes. While accountability for criminal conduct is important, it is equally important for criminal systems to respond without creating unnecessary harm. Predatory Offender Registration statutes impose significant and often debilitating stigma upon people, sometimes throughout the duration of their lives. People subject to POR statutes often are effectively barred from employment and housing long after completing their criminal sentences. We support efforts to provide treatment and support to individuals with a history of criminal sexual conduct and their efforts to rejoin the community without additional burdens.

Sincerely,

Robin Phillips
Executive Director

The Advocates for Human Rights

Founded in 1983 by Minnesotans who recognized the state's unique spirit of social justice, The Advocates for Human Rights works in our home community and in partnerships worldwide to end violence against women, abolish the death penalty, protect the rights of migrants, and build the human rights movement. Governed by a 30-member board of directors, The Advocates is a volunteer-driven 501(c)(3) nonprofit organization. Learn more at TheAdvocatesForHumanRights.org.