

# **Bill to Promote Justice for Victims of Sexual Violence**

## **Summary**

This bill would declare that data gathered within a restorative practice cannot be used as evidence in a court proceeding.

## **The Problem**

The legal system is insufficient in meeting the needs of victims of sexual violence. The majority of sexual violence victims never report their assaults, and those who do almost never see accountability. Only 3% of rapists get sentenced; 97% walk free.

While restorative practices can provide victims of crimes the ability to seek accountability, answers, and apologies from their perpetrators, perpetrators of sexual violence will not admit guilt or apologize if their admission or apology could be used against them in court.

## **The Solution**

By passing this bill, perpetrators would have the ability to take accountability for their actions in restorative processes and give survivors what they need to heal without fearing that their participation would lead to incarceration or a lawsuit.

This bill would also leave the option of legal action intact. Evidence that is otherwise admissible or subject to discovery does not become inadmissible if used or discussed in a restorative practice.

## **Exceptions**

This policy excludes information necessary to prevent death, great bodily harm or the commission of a crime. It excludes information necessary for mandatory reporting as well as information to report malpractice of a licensed professional.

## **Examples**

- A survivor who reports their assault is most likely to see their rapist walk free. This bill would give them another path to seeking accountability after a legal case closes.
- A survivor may seek a restorative practice and not initially report. If their perpetrator does not participate, they can choose to report. If they are unsatisfied with the restorative process, they can choose to report. If they learn their perpetrator has another victim, they can choose to report.

## **Support**

Victims of sexual violence want this option. This bill is supported by the MN Coalition Against Sexual Assault, Violence Free MN, the MN Indian Women's Sexual Assault Coalition, MN Alliance on Crime, the Advocates for Human Rights, Men As Peacemakers, Sexual Violence Center, and more.