

CHAPTER 5--S.F.No. 8

*An act relating to public safety * * *.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

APPROPRIATIONS

Section 1. **APPROPRIATIONS.**

* * *

Sec. 12. **PUBLIC SAFETY** * * *

Subd. 7. **Office of Justice Programs** * * *

(e) Criminal Sexual Conduct Statutory Reform Working Group

\$20,000 the first year and \$14,000 the second year are to convene, administer, and implement the criminal sexual conduct statutory reform working group. These appropriations are onetime.

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ARTICLE 4

SEXUAL OFFENDERS

* * *

Sec. 21. **CRIMINAL SEXUAL CONDUCT STATUTORY REFORM WORKING GROUP; REPORT.**

Subdivision 1. **Direction.** By September 1, 2019, the commissioner of public safety shall convene a working group on criminal sexual conduct statutory reform. The commissioner shall invite representatives from city and county prosecuting agencies, statewide crime victim coalitions, the Minnesota judicial branch, the Minnesota Board of Public Defense, private criminal defense attorneys, the Department of Public Safety, the Department of Human Services, the Sentencing Guidelines Commission, state and local law enforcement agencies, and other interested parties to participate in the working group. The commissioner shall ensure that the membership of the working group is balanced among the various representatives and reflects a broad spectrum of viewpoints, and is inclusive of marginalized communities as well as victim and survivor voices.

LAWS of MINNESOTA 2019
2019 First Special Session

Subd. 2. **Duties.** The working group must review, assess, and make specific recommendations with regard to substantive and technical amendments to Minnesota Statutes, sections 609.341 to 609.3451, 609.3453 to 609.3455, 609.349, 628.26, and any other related criminal laws.

Subd. 3. **Report to legislature.** The commissioner shall file a report detailing the working group's findings and recommendations with the chairs and ranking minority members of the house of representatives and senate committees and divisions having jurisdiction over public safety and judiciary policy and finance by January 15, 2021.

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Minnesota House of Representatives

Jan 31 2019 5:11PM

‘Survivors must lead the way’ to sex crime law reform

By Tim Walker

Victims of criminal sexual assault shared with lawmakers on Thursday how some state laws as currently written have allowed their attackers to go free.

For example, Cheri Townsend, a Hennepin County prosecutor, detailed how loopholes and contradictory language in state laws outlining sex crimes against children have prevented cases from being prosecuted.

She was one of several people who testified in support of [HF418](#), which would establish a working group to review and make recommendations to reform the state’s laws on criminal sex offenses.

The House Public Safety and Criminal Justice Reform Finance and Policy Division approved the bill and sent it to the House Ways and Means Committee with a recommendation to re-refer it to the House Government Operations Committee. There is no Senate companion.

Sponsored by [Rep. Kelly Moller](#) (DFL-Shoreview), the proposal would direct the public safety commissioner to convene a working group “to review, assess, and make specific recommendations with regard to substantive and technical amendments to Minnesota Statutes ... and any other laws that relate to sex offenses and sex offenders.” A report would be due to the Legislature by Jan. 15, 2020.



Asma Mohammed of Reviving the Islamic Sisterhood for Empowerment testifies Jan. 31 in the House public safety division on a bill to create a working group to recommend statutory changes to the state’s criminal sexual conduct laws. Photo by Paul Battaglia

The working group would include city and county prosecutors; public defenders; and representatives from the state judicial branch, law enforcement agencies, statewide crime victim coalitions and other interested parties.

Asma Mohammed testified that she was assaulted 15 years ago, when she was just 12 years old. She kept silent about that assault until she finally had the courage to tell her story publicly last December.

Mohammed, advocacy director of Reviving the Islamic Sisterhood for Empowerment, said that since then, five women in the Muslim community told her the same man also assaulted them. Because the assaults happened after the statute of limitations expired, Mohammed said she and those five other women have no way to seek justice.

“That man thrived off of our silence,” she said. “Survivors must lead the way.”

Moller said that one task of the working group would be to re-examine the statute of limitations for sex crimes, precisely because experience shows that many victims cannot speak about their trauma for many years.

<https://youtu.be/KGC03dt1SFY>
Public safety division hears [HF418](#)

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



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July 10, 2019

Kelly Mitchell, Chair
Minnesota Sentencing Guidelines Commission
658 Cedar Street, Suite G-58
St. Paul, MN 55155

Dear Kelly Mitchell:

The Minnesota Legislature has directed the Department of Public Safety to convene a Criminal Sexual Conduct Statutory Reform Working Group to review, assess, and make specific recommendations for Minnesota's criminal sexual conduct statutes. According to this directive, the working group must have representation from prosecutors, criminal defense attorneys, the Minnesota judicial branch, the statewide victim coalitions, law enforcement, and others. The membership of the working group must reflect a broad spectrum of viewpoints and be inclusive of marginalized communities as well as victim and survivor voices.

To ensure a breadth of perspectives and experiences in this endeavor, I am extending this invitation to the Minnesota Sentencing Guidelines Commission and am asking you to identify a representative to be a member of the Criminal Sexual Conduct Statutory Reform Working Group. Responsibilities will include, but may not be limited to, quarterly meetings of the working group in Saint Paul (with web conferencing capability) between August 2019 and September 2020, as well as smaller committee meetings on a monthly basis. The first meeting of the working group is set for August 15, 2019, 10 a.m. to 12 p.m., at the Wilder Center in Saint Paul.

The findings and recommendations of the working group will be included in a report that the Department of Public Safety will submit to the legislature no later than January 15, 2021.

I have instructed Suzanne Elwell from the Office of Justice Programs to coordinate the Criminal Sexual Conduct Statutory Reform Working Group and establish a work plan. Please contact Suzanne to confirm your organization's participation in the working group and to identify your representative. She can be reached at 651-201-7312 and suzanne.elwell@state.mn.us.

This is a unique opportunity to assess the criminal sexual conduct statutes as a whole and make needed improvements for a cohesive and effective statutory structure. It is my hope that your organization will be able to add its voice to this important discussion.

Sincerely,

A handwritten signature in black ink, appearing to read "John Harrington".

John Harrington
Commissioner

EQUAL OPPORTUNITY EMPLOYER

Cc: Nathaniel Reitz