



Minnesota Coalition
for Battered Women

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Victim Coalitions Respond to “Denied Justice” with Policy Recommendations

Starting on July 22, 2018, the Minneapolis Star Tribune released “Denied Justice,” a series of articles which highlight failed criminal justice and law enforcement responses to Minnesota’s victims and survivors of sexual assault. As advocates and coalitions working to end gender-based violence in Minnesota – including the Minnesota Coalition for Battered Women (MCBW), Minnesota Indian Women’s Sexual Assault Coalition (MIWSAC), and Minnesota Alliance on Crime (MAC) – we stand with the Minnesota Coalition Against Sexual Assault (MNCASA), and say to the survivors who bravely shared their experiences:

We believe you. What happened to you is horrifying. The responses you received were not the responses you deserve. We are committed to holding the systems that failed you accountable.

As “Denied Justice” and similar reporting have publicly highlighted, gaps in the criminal justice system are detrimental to victims’ safety. The failures “Denied Justice” exposed are not due to a lack of training or resources. These failures are a result of the gender bias, rape culture, and a lack of measurable accountability that we see mirrored in our society and in our criminal justice system.

Over the past thirty years, we have made huge strides in the criminal justice system. Thirty years ago, we could not have imagined police departments would house community advocates or that we would come to share a table with criminal justice system personnel to address the policy gaps identified by survivors and advocates.

Despite decades of building relationships with key players in the criminal justice system, we still grapple with persistent issues to the detriment of survivors’ experiences and lives. While we need to recognize our successes, we also need to examine our collective failures. Our policies and our actions must be grounded in the lessons we have learned.

Minnesota needs a comprehensive policy response to victim/survivors of gender-based violence. We need a victim-centered and led, multifaceted approach that addresses transparency, accountability, policies, protocols, training, and resource allocation in the criminal justice system. As leaders of Minnesota’s victim services, we pledge to work with our system-based partners to implement an approach that will make the criminal justice system a helpful, effective resource for survivors of sexual and domestic violence.

At this point, we – the Coalitions representing the voices of sexual and domestic violence survivors and their advocates – agree that we cannot continue to invest in policy responses that do not build in solutions to the larger issues of monitoring, oversight, and accountability.



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We recognize the tremendous opportunity now faced by the Peace Officer Standards and Training (POST) Board, which has not been given the authority to sanction licensees for not following domestic and sexual violence policies in the past.

We recommend the following changes, based on our collective expertise working as advocates for survivors within the criminal justice system:

- 1) Diversification of the POST Board:** Law enforcement serves a critical public function in our communities. Diversify the Board to include broader community representation, including victim/advocacy representation.

- 2) Expansion of the role and authority of the POST Board:** Laws and policies are only as good as their enforcement. The POST Board must be provided clear authority to sanction individual peace officer licensees and Chief Law Enforcement Officers when there is repeat and substantial noncompliance with sexual assault and domestic violence policies and when failure to comply with investigation of noncompliance occurs.

- 3) Expand the authority and role of the Crime Victim Justice Unit (CVJU) at the Department of Public Safety to monitor and investigate noncompliance:** Under Minnesota's Crime Victim Oversight Act, the Commissioner of Public Safety has authority to investigate complaints by crime victims. The Commissioner has designated the CVJU to carry out this role. Expand the authority and resources of CVJU to monitor and investigate noncompliance of sexual and domestic violence policies by law enforcement and refer findings to the POST Board for sanctions. Add requirements for departments to cooperate with the investigation and comply with data requests in a specific timeframe or face licensing sanctions by the POST Board.

- 4) Data Collection and Transparency:** Transparency, exposure, and data for comparative analysis is critical to keep this issue at the forefront. Require individual law enforcement departments and prosecutors' offices to collect and publish aggregate, non-identifying data about sexual assault cases. Agencies should be required to publish on their websites the number sexual assault cases reported, investigated, sent for prosecutorial review, formally charged, plea deals offered, and convictions acquired.

- 5) Model Policy Creation and Adoption:** Once these enforcement mechanisms are established, the POST Board, in collaboration the statewide advocacy and victim representatives, should create a model policy to respond to sexual assault cases and require departments adopt it and train on it.

As advocates and coalitions working to end gender-based violence, we are committed to and interested in partnering with stakeholders to erase these gaps for victims. We are hopeful the harrowing experiences of victims will propel us into collective action towards meaningful, lasting change.

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