



Sexual Assault

What is sexual assault?	<p>Minnesota Statutes 609.341 – 609.3452 define the various elements that determine sexual assault or Criminal Sexual Conduct (CSC) for the purpose of prosecution.</p> <p>Some experiences of sexual violence, while clearly hurtful violations of personal boundaries, may not rise to the level of a crime. However, that does not diminish the victim's experience of being violated.</p> <p>The Criminal Sexual Conduct statutes are gender neutral: victims and offenders may be male or female. Also, the statutes do not generally protect marriage or others in sexual relationships from prosecution for criminal sexual conduct.</p> <p>This fact sheet is designed to give the reader basics about Minnesota law. Consult law enforcement or an attorney for the complete understanding of the implementation of these statutes.</p>
Definitions:	<p>MS 609.341 provides comprehensive definitions for most of the terms used in the following statutory language. Among the terms defined are force, coercion, contact, penetration, position of authority, significant relationship and others. In order to understand the specific degree of CSC, one must understand the definitions as addressed in 609.341. There is a glossary of terms available on our website. Go to www.mncasa.org.</p>
MN Criminal Sexual Conduct Statutes:	<p>In Minnesota there are five degrees of CSC: First through fourth degrees are felony crimes; fifth degree is a gross misdemeanor for the first conviction.</p> <p>The elements that determine the degree of CSC are defined in detail in the statute and include:</p> <ul style="list-style-type: none">• Touch or contact vs. penetration• The severity and type of force that is used• The relative ages of victim and offender if the victim is a minor• If the offender is a family member or person in a position of authority over the minor victim• Multiple acts (when the victim is a minor) and/or multiple perpetrators• If the offender is in a professional position that precludes consensual sexual activity• The victim's ability to give consent <p>Generally, CSC 1 and 2 mirror one another; 3 and 4 mirror one another. 1 and 3 address assault involving penetration; 2 and 4 are assaults using touch/contact.</p>
Common reactions to sexual assault:	<p>Sexual assault of any kind can result in a host of reactions – some are immediate, some are long term. The variety of reactions may depend on the victim's previous life experience, the kind of force used, the relationship of the offender of the victim, the age of the victim, etc. Most victims experience levels of fear, anger, self-blame, depression and anxiety that can be exhibited both emotionally and physically. Difficulty sleeping and concentrating, nightmares, flashbacks, emotional numbing are all common reactions to sexual assault.</p> <p>For a more complete discussion of reactions, please see our fact sheet, "Common</p>

What can a victim do?

Reactions to Sexual Assault.”

It is often difficult for a victim of **sexual assault** to come forward for many of the reasons listed above. If you are a victim you can:

- Do what you need to get to a safe place.
- Trust your feelings. If you feel as if you have been violated, trust that your feelings are accurate.
- Contact your local advocacy program for assistance. To find your local program, see the “Seek Help” page on the MNCASA website.
- Seek medical attention at the local hospital. It is important to make sure you are not injured. Also, if there is evidence of the crime, it can be documented and collected there at no cost to you in case you choose to make a report to law enforcement.
- Contact local law enforcement. Sexual assault is a crime in Minnesota, regardless of the relationship of the victim and perpetrator.
- Find someone safe to talk with. You do not deserve to be abused or assaulted by anyone.
- A victim of **sexual assault** can apply for a Harassment Restraining Order (HRO) which will keep the perpetrator from committing additional acts of violence. This can be accomplished free of charge and can be made effective immediately.

How can friends and family help a victim of sexual assault?

- Help the victim feel emotionally and physically safe.
- Believe the victim. A victim has very little to gain by making up a story about sexual assault or trafficking.
- Listen to the victim without judgment.
- Provide options instead of making decisions for the victim.
- Help the victim access as much information as possible to help her/him determine the best option to take.
- Contact your local advocacy program for information. See www.mncasa.org for a program in your county.
- Reassure the victim that she/he does not deserve to be hurt or abused.
- Reassure the victim that she/he is not to blame for being assaulted.
- Educate yourself. Understand how sexual assault happens.

Some Considerations:

- The criminal justice response to sexual assault is one option available to victims of sexual assault. The criminal justice process is complicated and functions unlike TV representations of court ala CSI. If you are considering reporting the crime to the police, please contact an advocate to assist you in understanding your rights during the process.
- Sexual assault can be a life altering experience. Victims do become survivors, however. Time, good support from friends and family, refusal to believe victim blaming messages are all important in overcoming the effects of assault.

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