Statement for House Public Safety Committee- Jessica Goodwin

On November 4th 2017, I was with my husband, as well as our 5 kids were at our local Lifetime eating lunch and getting our kids ready for swim lessons. While my husband was finishing cleaning up our lunch, I was waiting outside of the cafe with our children, ages 8,7,6,4 and 1 at the time. As I was standing there, holding my baby and talking with my older kids, a man walked up behind me and fully groped my buttocks. He continued to walk past, only glancing back for a second to smirk at me and continued to walk towards the exit of Lifetime. I was frozen between chase this guy down or get my kids to their swim lessons. This was the first set of lessons for our family after a traumatic, near-drowning accident over the summer.  I chose to continue on with the lessons and I would contact the police and lifetime management after the lessons were completed since the man looked to be leaving the premises.

After we completed our lessons, I approached the Lifetime manager to report what happened and discuss what their course of action is in this type of situation. I was then informed that the man I was reporting not only groped me, but 4 other women at lifetime that day, one of the incidents involving him walking into the women's locker room! The manager informed me that the perpetrator had been arresting and was in Fridley police custody. I called the police myself, after arriving home, to report my incident and drove down to the station to give a taped statement of what happened to me. They asked if I could make an ID via photo line-up, which I was unable to make having only seen his face for a split second while he was walking away from me. I asked if they would be able to get the video footage from Lifetime and use that to press charges. I was told that I would need to talk to the investigating officer. I spoke with the investigating officer the next day to inquire if she would be able to acquire the video footage and I could provide exact time and location of when the assault happened. She informed me that it really didn't matter because the man in custody would only be charged with one count of Disorderly Conduct because of the ways that the laws were written in the state of Minnesota.

This prompted me to start looking into the way that the law is written regarding criminal sexual misconduct and I was appalled to find that there is a specific exclusion in the Criminal Sexual Misconduct in the Fifth Degree statute stating that **"but does not include the intentional touching of the clothing covering the immediate area of the buttocks"**

All other areas of the Criminal Sexual Misconduct Code state that sexual contact INCLUDES the touching of intimate parts (buttock included), over the clothing....

Unfortunately, this experience at Lifetime, was not my first experience with sexual assault and I can tell you that being groped on the buttocks is just as demeaning, violating and traumatizing as the other forms of assault I have endured. But our law does don’t reflect that sentiment. If this exclusion were not in place, this man at Lifetime would have been charged with 5 counts of Criminal Sexual Misconduct in the 5th degree, not one count of disorderly conduct. A slap on the wrist as far as the law is concerned.

While researching the Criminal Sexual Misconduct laws, I discovered that this exclusion has been in place since the law was enacted in 1988. Now, almost 30 years later, our laws should reflect what we now know to be true, a non-consensual groping of the buttocks is sexual assault. It is time we change this law and make sure that the punishment fits the crime!

The day that I was assaulted in November, I took time to pray that this horrendous act would somehow be used for good. I never would have imagined that I would have the opportunity to share with our lawmakers my story and hopefully help enact change! I can say wholeheartedly, I am thankful for what I have endured to just be able to bring this issue to your attention!