

Subject Aid to sexual assault victims

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Overview

This bill grants immunity from certain controlled substance offenses and underage consumption offenses for persons who seek emergency aid for a sexual assault victim.

Summary

Section	Description
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1	Aid to sexual assault victim.
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Subd. 1. Person seeking assistance; immunity from prosecution. Exempts persons acting in good faith who contact a 911 operator or first responder to report that a sexual assault victim is in need of assistance from charges and prosecution for the possession of a controlled substance or drug paraphernalia or underage consumption of alcohol. In order to qualify for immunity, the evidence indicating the caller committed an exempted offense must have been obtained as a result of the person's seeking assistance and the person was the first to request assistance.

Subd. 2. Person experiencing sexual assault; immunity from prosecution. Exempts a victim of sexual assault from charges and prosecution for the possession of a controlled substance or drug paraphernalia or underage alcohol consumption. Requires that the evidence of the exempted offense was obtained as a result of a call for assistance to qualify for the immunity.

Subd. 3. Effect on other criminal prosecutions. Provides that calling for assistance for a sexual assault victim may be used as a mitigating factor in proceedings for offenses that are not subject to immunity under subdivision 1 or 2. Provides that prosecution based on evidence obtained from an independent source is not precluded by the immunity provisions.



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