



Written Testimony in Support of North Dakota's SB 2387

Chairperson Lee, Vice Chairperson Weston and distinguished committee members,

Thank you for taking the time to read these submissions of support on behalf of SB 2387. In 2016 Rise, a survivor led nonprofit organization, fought for and unanimously passed the Sexual Assault Survivor Rights Act (Pub.L. 114–236) through the United States Congress. The federal law impacts at least 25 million rape survivors, but it is only the beginning. These rights must be codified in individual statehouses, as most sexual assaults are adjudicated in state courts under state law. While we have advocated for similar laws in 44 states including Florida, Georgia, Indiana, Iowa, Kentucky, Louisiana, Missouri, Oklahoma and Wisconsin, it is our goal to pass these rights in all 50 states.

SB 2387 will provide much needed care for survivors of sexual assault in the aftermath of their trauma. These basic civil rights help protect survivors from retraumatization, offer support from experts during interactions within the criminal justice process, and make the system more transparent and easier to navigate. SB 2387 will also help law enforcement and other stakeholders ensure that the criminal justice process works for all who are involved. Rise is grateful to the local organizations who lead the way in making this bill possible and specific to survivor experiences in North Dakota. On behalf of the 125,000 survivors in the state, we hope that you will consider advancing SB 2387 to make it the next bill protecting sexual assault survivors passed into law. I have attached below for your consideration a few stories that survivors have shared with us that speak directly to the impact that this bill would have.

Thank you for your time,
Flannery Houston
Chief Program Officer, Rise

Miriam J.

Mr. Chairman, Members of the Committee, thank you for inviting me today to speak in support of Senate Bill 2387.

To me, Survivors' Rights signifies the beginning of a new era. In 2007 and 2008, when I was a freshman in college, I was raped by two men I trusted and admired. The first man who raped me was my boyfriend. He would lock me in his room, force me to do his laundry, edit his papers, and write his internship applications. When I was done with his work, he would rape me, over and over again. I bled for

weeks. I thought I would never stop bleeding. The second man who raped me was his friend. He pinned me down on his bed, and I tried to push him away until my wrists collapsed under his weight. When he penetrated me against my will, I felt my insides tearing. I remember thinking, “so this is how it’s going to be.” For a long time, it was.

From 2007 to 2017, I lived in my rapists’ worlds. I watched them win prestigious scholarships, earn selective internships, and land coveted jobs, while the memories of the sound of my voice begging them to stop haunted me at night. I was diagnosed with PTSD my freshman year, and I still take medication every day. I will never get back the decade I spent in their darkness. I will never be able to tell the young woman I was that it wasn’t my fault. That I have rights. That this is my world, too.

But being here today makes up for that time. When I finally reported my rapists after almost a decade, I was assigned an Advocate, who followed my case and joined me in my interviews with law enforcement. When the detectives ultimately called me to tell me that the prosecutor would not be pressing charges, I cried silently into the phone. I could barely speak when my Advocate said, “the detectives are going to hang up now. You’re going to stay by your phone, and when I call you back, you’re going to pick up.” My whole body was convulsing with grief, but I followed her instructions. “You’re going to cry today,” she said. “And maybe you’ll cry tomorrow. And then you’re going to go on and live a long, happy life. You’ll use what you learned here to help others, or you’ll do something entirely different. But you’ll find joy. You’ll find life.”

Among the critical civil rights awarded to rape survivors by Senate Bill 2387 is the right to an Advocate. I live by the words of mine every single day. I remember her promise to me when I am tempted to give up. There are 125,000 rape survivors in North Dakota. I wish I could call each of them, tell them of their rights, and of the life that awaits them if they just keep living. If you grant them these civil rights—including the right to an advocate—I won’t have to.

Thank you for your time.

Maradith Morris

As a sexual assault survivor and a sexual assault nurse examiner, I have witnessed the anguish and betrayal my patients experience when they learn they have no right to their testing information, if their kit is tested at all. This information is not just “forensic evidence,” it is health information. Sexual assault survivors are asked to navigate an unconscionable maze of bureaucratic, medical, and legal regulations while at their most vulnerable -- and they’re asked to do it without an advocate. In fact, they’re asked to do it with the deck stacked against them.

The system should be set up to bring them security and justice, not to bring further pain and trauma. The rights included in SB 2387 are fundamental, and as a survivor I am committed to ensuring that future survivors are empowered by North Dakota law, not re-traumatized by a lack of basic rights.

Tyrell Walker

Most of us have been impacted by sexual assault, whether we know it or not. When someone we care about is hurt and traumatized, it affects everyone. The deepest pain is obviously felt by the victim of sexual assault, but the aftermath reverberates outwards much farther than the event itself. Sexual assault is

not just a women's issue; it is a human issue.

When a citizen is a victim of a crime, the criminal justice system is supposed to help them and protect them. I have not witnessed this when it comes to sexual assault survivors. Instead, I have seen a criminal justice system that traumatizes survivors of sexual assault as much, if not more, than the assault itself. Survivors are penalized for their trauma, told conflicting information, forced to relive their attack every time they have to fight for their evidence to be kept, or are left alone to navigate a complicated system with no guidance whatsoever. This is not the country I want America to be. I do not want us to be a country that leaves survivors of assault, victims of a crime, lost, alone, unsupported by the justice system. America can, and must, do better. We need a system that provides basic support and guidance to victims of crimes, and ensure that the criminal justice system is prepared and empowered to execute the law fairly.

A civilization is judged not by the strength of those most powerful, but by how we care for and support those in need. Survivors need these rights. These rights are vital to creating a justice system for all, and will create provisions necessary for a criminal justice system that knows how to properly treat sexual assault survivors.

Samantha M.

At the age of 22, I was raped by a police officer in the city in which I was attending college. The layered betrayal that I felt was overwhelming and is something that, to this day, is hard to describe. As a young girl, my parents instilled in me that officers were there to protect you. Growing up in a military family, I truly believed this until I was raped and physically abused by someone in power. Unfortunately, that violence was filmed and distributed among his close friends and the worst night of my life became something that others watched. I was left with physical injuries, but most devastating was the mental anguish that refused to lessen due to a level of pain I never imagined possible. I stopped eating, could not get out of bed, was scared to go out of my house, and constantly mourned for the life I knew I had lost forever. Between therapy appointments, medical appointments, and police and Title IX interviews, I lost my full-time job and, subsequently, my apartment.

I had to accept that I would not ever be the same person as I was before that night, because that person is gone. The pain that I experienced physically and mentally was truly unbearable. My trust in our law enforcement diminished. I was not provided a trained sexual assault nurse examiner at the hospital, as my rural county had no such thing. I was forced to pay for the entire emergency room visit, even though I had just lost my job. I was never told what rights, if any, I had. I was never provided an advocate at any stage of the investigation. I realized early on that I had to physically, mentally, and financially function to survive at a time that I could not bear to get out of bed.

Much like too many survivors, I never got justice for what happened to me. However, I consider myself one of the "lucky ones," as my university stepped in and protected me when nothing was being done criminally so that I could finish my education protected and cared for. The perpetrator was also forced to resign from his job as an officer. I find some solace in this outcome, because it means that he no longer

has the position of authority to victimize someone else while remaining above the law. However, that does not change the lasting effects that a rape leaves on someone.

I am truly disheartened to this day that most survivors I meet are still not receiving the proper care and justice that is long overdue. Ensuring a victim's basic human rights after such a personal and violent attack, both physically and mentally, must finally be a priority. This perpetuation of ensuring the perpetrator has more basic rights than the victim is no longer acceptable. My lawyer at the time told me, "there is no justice in the justice system." I will never forget those words and I cannot accept that as the standard any longer. We as a society cannot accept that as the standard any longer. Victims deserve so much more than the ways in which they have been treated and we owe it to the next generation to provide a society and system that protects the vulnerable and criminalizes those who abuse their power or status to take advantage of others.

Healing for me comes from stopping the traumatic cycle of victims not being protected or believed and changing our broken justice system into something we can all be proud of. We cannot stop this fight and settle for the "status quo" while those who are left without a voice continue to suffer in silence. We at least owe it to these men, women, and children the basic dignity every human deserves.

Sabrina Sivert

When I was 18 years old I came forward about my sexual assault. For almost a year I kept silent due to threats and fears my abuser instilled in me. My abuser was a teacher and a member of the community as a firefighter.

I remember being in a room and seeing my parents sitting there, my abuser's co-workers, and his friends on the force and feeling so alone, scared, embarrassed, and doubted. These were all people who were supposed to protect me but I was being failed. It was a small town and the news got out fast. I was never offered a victim advocate or counselor. In fact I was never even offered a female officer until the child advocacy center took on the case later on. This made matters so uncomfortable.

If I would've been offered just one person who was on my side, one person who would have listened and not judged or doubted me, one person I could've gone to when I felt the most alone, one person who could've just been there when my world was crashing down. I think my experience coming forward about my sexual assault would've been smoother and less traumatic. Every victim should have the right to a victim advocate or counselor.