



## Metropolitan Organization to Counter Sexual Assault

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Testimony from MOCSA's President & CEO Julie Donelon, MSW

IN SUPPORT OF HOUSE BILL 2299: Making changes to mitigating factors used by the court in granting a departure sentence.

House Committee on Corrections & Juvenile Justice

February 22, 2019

Chairperson Jennings and Members of the Committee:

My name is Julie Donelon and I am the President & CEO of MOCSA, the Metropolitan Organization to Counter Sexual Assault, and I am here to testify in strong support of House Bill 2299 which aims to prohibit future sentencing in the courts which labels children 16 and under as "aggressors" or consenting participants in sex crimes committed against them. I would like to thank Representative Holscher and the bill's sponsors for introducing this important legislation and for prioritizing their support of Kansas children who are victims of sex crimes.

MOCSA works to improve the lives of those impacted by sexual assault and abuse and to prevent sexual violence in our community – the Kansas City metropolitan area. MOCSA serves Wyandotte and Johnson Counties in Kansas, as well as several counties in Missouri. Without supportive services, the trauma of sexual violence can stay with victims for a lifetime. MOCSA provides education to the community, counseling services to victims and their families, and advocacy services to allow victims to more easily navigate the criminal and civil justice systems. In 2018, MOCSA provided 2562 hours of counseling services and 2133 hours of advocacy services to Kansas residents. Additionally, education was provided to 12,425 youth and 13,025 adults in Kansas.

According to the KBI, reports of rape in state of Kansas increased by 8.1% last year, with the highest number of offenses reported since at least 1998. MOCSA's service area of Johnson and Wyandotte Counties still accounts for one of every five reports of rape in the state (Kansas Bureau of Investigation, 2018). Locally, Johnson and Wyandotte county law enforcement officials received 248 reports of rape in 2017, yet the number of requests MOCSA received for hospital advocacy in Kansas for that same year was 288, or 116% of those reported to law enforcement. This trend has continued in

2018, and we project the demand for our services will continue to rise from victims of sexual assault in our Kansas communities.

This legislation would correct a significant disparity in judicial discretion regarding sex crimes against Kansas children. Minors who cannot legally consent to sexual activity are never responsible for being the victims of sex crimes. Kansas statutes recognize that children who are under the age of 16 cannot legally consent to sexual activity (K.S.A. 21-5506; 5507), however they can be identified as aggressors in the crimes committed against them. We see this as a significant and harmful incongruence in the law and we voice our strong support of House Bill 2299 to amend this law to better serve minors in Kansas and hold offenders accountable in our communities.

I strongly urge the Committee to support House Bill 2299 to better serve Kansas minors who have been sexually abused. Thank you for your time and strong consideration in this matter.

Sincerely,

Julie Donelon, MSW

MOCSA President & CEO