

Witness Statement
SB0129 – Criminal Law – Sexual Crimes – Repeal of Spousal Defense
Position – Favorable

A married perpetrator committing sexual assault and battery should be charged the same as an unmarried perpetrator. A person is unable to consent in sexual activity while in an incapacitated state. The aftermath of sexual abuse and battery not only seriously impact the person, they impact all family members and the community as a whole. Victims should not have to live in fear and battle the psychological damage this law currently supports. Victims are far less likely to develop a strong and healthy relationship with another person, due to the trauma of sexual assault.

As a victim of varying unwanted sexual assaults and harassment, the burden of proof and the constant attack of personal credibility only encourages suffering victims to remain silent. Meanwhile, the perpetrator continues to wreak havoc on more people.

The cycle of abuse must stop. This law is outdated and protects the perpetrator, not the victim.