



STANDPOINT

Attorneys & advocates against domestic & sexual violence

Standpoint Fights to Protect Privileged Communications at Minnesota Supreme Court *Ripple Effect If Records Released: Harm Sexual Assault Victims and Embolden Abusers* (April is Sexual Assault Awareness Month)

On April 6, 2022, Standpoint Executive Director and Attorney, Rana Alexander and Best & Flanagan Co-Counsel, Katherine Barrett Wiik will present **oral arguments at the Minnesota Supreme Court** to protect sexual assault advocates' records from disclosure.

This appeal presents the Court with a **critical opportunity to clarify and harmonize the law protecting victims' privileged communications**, thereby preserving the sexual assault advocate and victim relationship.

WHY: A Minnesota District Court recently ruled that a sexual assault organization's records be disclosed in a criminal trial at the defendant's request.

If the district court's ruling is allowed to stand, it will:

- Eviscerate the sexual assault advocate privilege enacted by the Legislature in 1982, which recognized this very problem and created a statutory privilege.
 - [Minn. Stat. § 595.02, subd. 1\(k\)](#), *to protect the communications between the advocate and the victim until and unless the victim consents to release of information.*
- Nullify the legislature's intent to protect these communications and threaten all privileges in Minnesota.

WHAT: "Releasing records will cause a ripple effect, harming victims and emboldening abusers," says Alexander. "Many victims view free, community sexual assault programs as a lifeline to support, safety, and healing. Trust and confidentiality are at the core of the victim and advocate relationship. Often a perpetrator attempts to intimidate and control a victim by demanding access to these intimate and privileged records through the court process. If Minnesota wants to end sexual violence and continue to hold abusers accountable, the Legislature's plain language of the statute must be honored."

WHO: Expert available for media interviews during Sexual Assault Awareness Month (April)

Ms. Alexander is the only attorney who represents domestic and sexual violence programs throughout Minnesota when they are subpoenaed. As an industry leader, she frequently trains advocates, attorneys, and other professionals on confidentiality issues. Standpoint has championed the protection of confidential communications for 25 years.

ABOUT STANDPOINT: Standpoint is a nonprofit organization that promotes justice for victims of domestic and sexual violence in Minnesota. Its dedicated team of experienced lawyers and advocates provides free legal advice and advocacy to survivors, as well as other attorneys and professionals working with victims. Calls to Standpoint's Action Line have increased 123% over the past two years. For 25 years, Standpoint has been a pathway to justice.

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