



Jasmine's Law

Ensure Justice Today
Protect our Children's Future

SB1020

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One in Three Women

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Overview

Jasmine's Law

Jasmine's Story

In 2001, Jasmine became a victim of rape at the tender age of 11-years-old by an adult who provided her with alcohol and preyed on her innocence while she was rendered incapacitated. As a result of the use of alcohol and the shame of being sexually victimized, she buried her memory of the incident and remained silent for an entire year. During that time, she was lost from the innocence of her childhood. After her disclosure and prosecutorial expediency, the state of Illinois had no legal standing to add a factor in aggravation to predatory criminal sexual assault. Therefore, her rapist received a plea deal for the minimum sentence of only 6 years. To this day nine years later, Jasmine continues to struggle with the consequences of rape and strives to build on the new life she created for herself because the old one—as she knew it—was dead. Jasmine offers her story in the hope to provide a measure of protection in the law to ensure justice on behalf of other victims of sexual violence.

Alcohol-Facilitated Sexual Assaults

It is well known that child sexual predators “groom” children to eventually engage them in sexual activities¹. Part of this process can involve intoxicating victims either voluntarily or involuntarily to reduce their awareness or resistance to the assault². Use of an intoxicant by sexual predators:

- Alcohol is by far the most commonly used drug during sexual assaults, however, some perpetrators also report using marijuana, cocaine, and other drugs³
- 50-75% of sexual assaults involve alcohol or drug use by perpetrators or victims^{4,5,6}.

Most controlled substance or drugs are recognized under Illinois State Law as an aggravating factor to a class X felony of Predatory Criminal Sexual Assault ***with the exception of alcohol***. Currently the use of alcohol, the most commonly used intoxicant due to its accessibility, is equated to a slap on the wrist through a misdemeanor charge. Jasmine's Law will remedy this flaw in legislation by adding a factor in aggravation to the five felony sex offenses, allowing an extended term sentence to be imposed while the victim was a minor and under the influence of alcohol at the time the offense was committed.

¹ Stewart, D. L. “Victim Grooming: Protect Your Child From Sexual Predators” Boys Town Assessment Center/Behavioral Pediatrics & Family Services Clinic <http://www.parenting.org/teen/victimGrooming.asp>

² Johnson, S.A. (2006) Physical Abusers and Sexual Offenders: Forensics and Clinical Strategies, The Midwest Book Review, pg. 59

³ Abbey, A & Ortiz, L.G. (2008) Alcohol and Sexual Violence Perpetration. *National Online Resource Center on Violence Against Women*.

⁴ Koss, M. P., Dinero, T. E., Seibel, C. A., & Cox, C. L. (1988). Stranger and acquaintance rape: Are there difference in the victim's experiences. *Psychology of Women Quarterly*, 12, 1-24.

⁵ Barbaree, H., Hudson, S., & Seto, M. (1993). Sexual assault in society: The role of the juvenile offender. *The Juvenile Sex Offender* pp.1-24.

⁶ Murdoch D., Phil, R.O., & Ross, D. (1990) "Alcohol and Crimes of Violence: Present Issues." *The International Journal of the Addictions* 25, no. 9 (1990): 1,065-81.