

Testimony of Sexual Assault Crisis Service
In Support of HB 5376, An Act Concerning Affirmative Consent
Joanna Flanagan, Community Educator
Joint Committee on Higher Education and Employment Advancement

To the members of the Committee on Higher Education and Employment Advancement, my name is Joanna Flanagan and I am the Community Educator for the Sexual Assault Crisis Service, a program of the YWCA New Britain and a member of the Connecticut Alliance to End Sexual Violence, formerly known as CONNSACS. In addition to my role at the Sexual Assault Crisis Service, I am a full time college student dedicated to raising awareness about sexual violence and providing support to survivors. My education and activism in college led me to my position at SACS, where I now travel to colleges throughout the Hartford and New Britain region to talk with students and faculty about sexual violence and bystander intervention. Based on this work, I would like to testify in support of HB 5372, An Act Concerning Affirmative Consent.

Discussions of consent are integral to any conversations about the elimination of sexual violence. In order for people to recognize violence when it occurs, they must be aware of the meaning of consent as it applies to their social interactions. In my work with college students, I have found that most students understand the concept of “no means no,” but that confusion arises when the discussion moves to what consent really looks like. When students are only taught that no means no, but are not taught what fully informed, freely given consent looks like, they are not equipped to recognize a lack of consent in a real life situation. Teaching affirmative consent switches the discussion from “no means no” to “yes means yes” and encourages a healthy view of sexuality that shows students how to recognize a healthy and consensual sexual experience. In workshops that I do with students, they respond positively to this conceptualization of affirmative consent and believe it better represents the reality of sexual interaction.

Affirmative consent takes into account issues of coercion, force, incapacitation, and other means abusers use to prevent someone from saying no. With affirmative consent, abusers cannot use the excuse “they didn’t say no” in an attempt to discredit a victim/survivor and claim an assault did not take place. Rather than focusing on whether or not the victim/survivor said “no,” affirmative consent policies place the responsibility for obtaining consent on the alleged perpetrator. The lack of a negative response does not indicate consent, and an affirmative consent policy recognizes this. By adopting a consistent affirmative consent policy across all Connecticut institutions of higher education, students will be part of a culture with a standard of respect and autonomy and will be more likely to feel supported coming forward to disclose sexual misconduct.

HB 5376 would create a consistent, clear, and more effective affirmative consent policy for all Connecticut colleges and institutions and ensure continuing consent education for all students. This is a positive step forward in our state’s fight to end sexual violence, and I hope you will join me in supporting HB 5376 and creating a safer environment for college students around the state. Thank you for your consideration.

for every woman