

## Oversimplified statutory rape laws need revising

### OUR OPINION:

Current statutory sex laws fail to deal with the complex nature of most sexual relationships

Recently, in Wisconsin, 18-year-old Kevin Gillson got his 15-year-old girlfriend pregnant. Gillson was prepared to drop out of school, find a job and marry his girlfriend to support her. His reward for his noble intentions: The possibility of probation and 40 years of jail time.

The problem Gillson faces is that he engaged in sex with a minor. Although his girlfriend said the sex was consensual, in the eyes of the state, she is too young to consent to have sex. Even if he doesn't spend a day in jail, his record will show that he is a convicted sex offender, in the same class with rapists and molesters. Had his girlfriend been one year older, he would have been in the clear.

Statutory rape laws state that it is illegal for anyone to engage in sex

with a minor. Exactly who is considered a minor varies from state to state, usually between 16 and 18 years of age. While it's hard to argue with the law's intent, its actual execution raises some serious problems.

The idea of a statutory rape law makes sense. The main goal is to prevent situations where 50-year-old men are out at the local high school preying on young, unsuspecting females. Unfortunately, that's not always how the law ends up working.

The basic problem is the black and white nature of statutory rape laws. Every case is different, but with statutory rape, all that matters is age. An 18-year-old can go to jail for sleeping with his 17-year-old girlfriend, but it is perfectly legal for a 50-year-old to be sleeping with a 20-year-old.

Sexual relations are too complicated to be based on age alone. If the intent of statutory rape laws is to prevent manipulation, that should be reflected in the law itself. The problem is primarily one of coercion, not age.

If it can be shown that an 18-year-old man used his age and experience to manipulate a younger girl into engaging in sexual activities, then that should be classified rightly as statutory rape. If a 22-year-old and a 17-year-old are deeply in love, while it may be a little disturbing to some people, they should not be persecuted solely because of the age difference.

Another way to improve the effectiveness of statutory rape laws would be to change how they are enforced. In the case of Gillson, he was arrested simply because the police found out about the couple. No complaints were filed by either of the families involved.

If the parents of a child want to allow her to see an older person (and as legal guardians of a minor they have a legal right to make that decision as hard as it may be to enforce), that is their prerogative. If all the parties involved with the relationship are okay with it, then the police should not get involved.

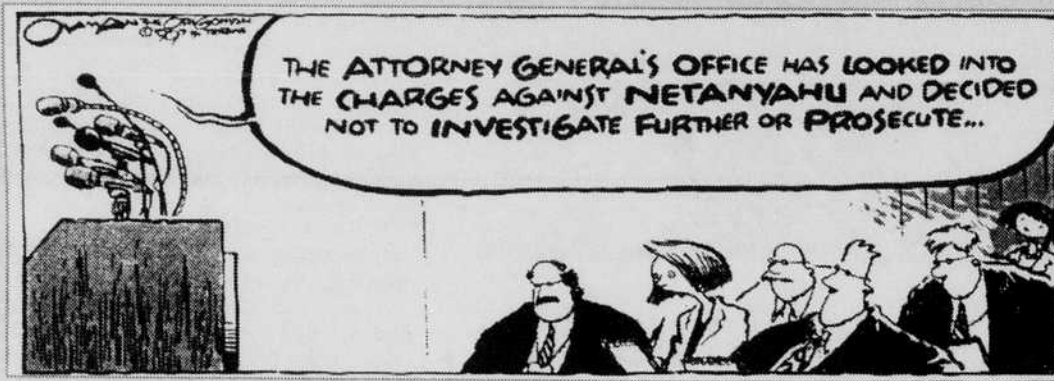
Only if a complaint is filed by ei-

ther the family or the couple should what is basically a personal matter become a legal concern. Those involved with the relationship can better determine if it is abusive than a third party guided only by a set of arbitrary age requirements.

Statutory rape is not an easy issue. On the one hand, it is important to protect young people who may or may not be ready to make mature decisions about sexual activity. On the other hand, just because someone is older than his or her partner doesn't mean that person will be any more manipulative than two people who are the same age.

While this tension cannot be completely resolved, it can be improved. By making statutory rape laws consider both age and intent and by pressing charges only when one of the parties involved files charges, the murky waters of statutory rape can be made considerably clearer — and fairer.

*This editorial represents the opinion of the Emerald editorial board.*



### The Drawing Board



### Correction

In the April 28 "Overheard" section on page 2, singer Jewel was misquoted. The quote (from the May 15 Rolling Stone) should have read as follows: "I'm just a person who is honestly living my life and asking, 'How do you be spiritual and live in the world without going to a monastery?'" The Emerald regrets the error.

### LETTERS

#### Relative ignorance

In response to Trevor Miller's letter (April 21, ODE), I do not enjoy being labeled as "ignorant" by someone I do not even know. As a member of SETA, Miller's attack on the education I received through this group shows only his own ignorance.

To clarify Miller's confusion, the "H" in HIV stands for "human," as HIV infects humans. Rhesus monkeys, such as the ones held captive on campus, contract SIV ("S" is for simian), and if Miller knows the index case, he should share that knowledge with the rest of us.

Animal research does not, as Miller correctly states, lead directly to cures simply because the wrong species are studied. Underrated alternatives like epidemiology, clinical investigations and human tissue tests have led to advanced knowledge of smoking/lung cancer correlation, epilepsy and Alzheimer's, keeping human research directly relevant to humans.

SETA is committed to the 2,700 students

who signed a petition demanding to know more about the tightly guarded animal research conducted at our University. SETA offers extensive information on a large number of diverse topics, which we would be happy to educate Miller on so that he may at least recognize his own ignorance when judging our student group as "ignorant" and "non-educational."

**Maureen Lynch**  
Anthropology/Philosophy  
**Benjamin P. Jenkins**  
Biology

#### Sound of silence

I was one of the scientists sitting at the table that caused so much of a threat to University activism, according to Kyla Schuller's letter (April 22, ODE).

I'm sorry, but campaigning against SETA's budget increase request was simply not a campaign of censure. SETA is in no danger, with or without 12 cents from every student, of being exterminated. The "measly" budget (according to Ms.

Schuller) that SETA currently receives from the ASUO is the same budget that would be given to a student group in support of medical research on animals.

The fact is that SETA is using the ballot to request the special consideration of University students for a budget increase, above and beyond the fees it already receives.

SETA's stated goal is the elimination of animal research. I personally do research on animals and consider it a benefit to humanity. These are two views of a controversial subject. I thought a politically active campus was one where people felt free to make a public stand for their opinions.

Yet several letters on this page and comments from a few of the people who stopped by the table suggest that it was the researchers' point-of-view that "should" be silent and leave poor SETA alone.

Very democratic.

**Kelli Lopardo**  
Institute of Neuroscience

### ASUO Ballot Measures

The Emerald's Endorsements:

#### Club Sports:

Raising Club Sports incidental fees will make the program less expensive and accessible to more students. **YES**

#### Footnotes:

Because Footnotes is not a student group, they should raise money from private fund raising, not student fees. **NO**

#### Lane Transit District:

For students without a car and for a campus without a parking structure, free bus service benefits everyone. **YES**

#### Pocket Playhouse:

At only a \$0.09 increase per year, the benefits of student theater outweigh the costs. **YES**

#### Saferide:

Saferide benefits many women on campus, and this measure would help make Saferide wheelchair accessible. **YES**

#### Students for the Ethical Treatment of Animals:

Because SETA doesn't represent the views of the whole campus and is already well-funded, an additional increase is not needed. **NO**