



Sexual Assault Victim's Bill of Rights

The Sexual Assault Victim's Bill of Rights was enacted in 2019 to outline basic protections and fundamental rights for survivors in New Jersey.

No matter what a survivor chooses to do in the aftermath of an assault, they should know their rights are guaranteed, even if the assault is not reported to law enforcement. The Sexual Assault Victim's Bill of Rights declares that all survivors of sexual violence have the right to be treated with dignity and compassion and the right to be free from blame. The Bill of Rights also affirms that survivors should be free from the suggestion that they contributed to the risk of being assaulted. ***Sexual violence is never the fault of the survivor.***

SURVIVORS HAVE THE RIGHT TO:

- Choose whether to report to law enforcement.
- Be free from any suggestion that they must report the crime to have their rights guaranteed.
- Be free from any suggestion that victims should refrain from reporting crimes in order to avoid unwanted personal publicity.
- Have their report of sexual assault treated seriously.



No matter what a survivor chooses to do in the aftermath of an assault, they should know their rights are guaranteed, even if the assault is not reported to law enforcement.

SURVIVORS HAVE THE RIGHT TO BE INFORMED ABOUT AND HAVE ACCESS TO:

- Existing medical, counseling, mental health, or other services available for victims of sexual assault, whether or not the crime is reported to law enforcement.
- Treatment and interviews provided in a language in which the survivor is fluent.
- Assistive devices to accommodate any disabilities they may have.
- Testing for HIV or other sexually transmitted infections and assistance with compelling the person who caused harm to test for communicable diseases and disclose the results.

SURVIVORS HAVE THE RIGHT TO BE INFORMED ABOUT AND HAVE ACCESS TO:

- **Evidence collection and preservation:** Evidence collection is time-sensitive and should occur within seven days of the assault (or up to nine days post-assault in special circumstances, if a forensic nurse examiner determines that viable forensic evidence may still be available for collection). Survivors can choose to have evidence collected whether or not they pursue a criminal case. All forensic evidence is retained for a minimum of 20 years.* If the survivor chooses to report to the police, the law enforcement agency responsible for the sexual assault investigation must provide updates on the status of all evidence collected at the survivor's request.
- **Financial compensation:** The Victims of Crime Compensation Office (VCCO) offers assistance with accessing compensation for expenses incurred as a result of an assault, including the cost of mental health counseling, medical bills, relocation, or loss of earnings. Survivors can reach the VCCO at (877) 658-2221 or www.NJVictims.org.
- **The no-cost services of a Sexual Assault Response Team (SART) if the survivor is over the age of 13.** A SART comprises a confidential sexual violence advocate (CSVA), a law enforcement officer (LEO), and a forensic nurse examiner (FNE).
 - The **CSVA** is a confidential resource who can support the survivor through the SART process. The CSVA provides emotional support and can help the survivor explore their rights, options, and available resources.
 - The **LEO** can provide thorough and objective assistance with responding to and conducting a criminal investigation of sexual assault.
 - If the assault occurred within the last seven days (or up to nine days post-assault in special circumstances, if the FNE determines that viable forensic evidence may still be available for collection), the **FNE** can tend to the medical needs of the survivor and use a Sexual Assault Forensic Exam (SAFE) Kit to collect forensic evidence. **The survivor can choose to work with one, two, or all three SART members.**

**As of April 2024, the Sexual Assault Response Team (SART) activation window was expanded from five days to seven days after an incident of sexual violence occurs. As of March 2023, the forensic evidence retention period was extended from five years to a minimum of 20 years.*

The support of a **confidential sexual violence advocate** is available **24 hours a day**. To learn more about survivors' rights and options or to speak with an advocate, contact your **local sexual violence service provider**.

If you are in immediate danger, call 911.

New Jersey Coalition Against Sexual Assault

www.njcasa.org

24-Hour Statewide Hotline:

(800) 601-7200

njcoalition
against sexual assault

REFERENCES

Attorney General Standards for Providing Services to Victims of Sexual Assault. (November 2018). Retrieved from <https://www.nj.gov/oag/newsreleases18/AG-SART-Standards.pdf>

N.J. Ct. R. 5:7B. Sexual Assault Victim's Bill of Rights. (n.d.). Retrieved from https://www.njleg.state.nj.us/2018/Bills/PL19/103_.PDF

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