

## **New Jersey Campus Sexual Assault Victim's Bill of Rights**

P.L. 1994, c.160 C.18A:61E-1 et seq.; P.L.2019 Chapter 103, enacted May 10, 2019, Senate 875

effective December 1, 2019

This bill establishes a Sexual Assault Victim's Bill of Rights for victims of sexual violence. The bill accords victims of sexual assault the following rights:

- 1) To have any allegation of sexual assault treated seriously; to be treated with dignity and compassion; and to be notified of existing medical, counseling, mental health, or other services available for victims of sexual assault, whether or not the crime is reported to law enforcement;
- 2) To be free from any suggestion that victims are responsible for the commission of crimes against the; to be free from any suggestion that victims were contributorily negligent or assumed the risk of being assaulted; to be free from any suggestion that victims are to report crimes to be accorded of any other guaranteed right; and to be free from any suggestion that victims should refrain from reporting crimes in order to avoid unwanted personal publicity;
- 3) When applicable, to no-cost access to the services of a sexual assault response team comprised of a certified forensic nurse examiner; a rape care advocate; law enforcement as provided in accordance with the Attorney General's Standards for Providing Victims of Sexual Assault, and the choice to opt into or out of any of the team's services;
- 4) To be informed of and assisted in exercising the right to be confidentially or anonymously tested for Acquired Immune Deficiency Syndrome (AIDS) or infection with the Human Immunodeficiency Virus (HIV) or any other related virus identified as a probable-cause agent of AIDS; and to be informed of and assisted in exercising any rights that may be provided by law to compel the results of testing of a sexual assault suspect for communicable diseases;
- 5) To have forensic medical evidence, if collected, retained for a minimum of five (5) years, and to receive information about the status of the evidence upon request;
- 6) To choose whether to participate in any investigation of the assault;
- 7) To reasonable efforts to provide treatment and interviews in a language in which the victim is fluent and the right to be given access to appropriate assistive devices to accommodate disabilities that the victim may have, whether temporary or long-term;
- 8) To inform and assist in accessing specialized mental health services; protection from further violence; and other appropriate community or governmental services; including services provided by the Victim's of Crime Compensation Office (VCCO); and all other assistance available to crime victims under current law; and
- 9) To be apprised of the availability and process by which to seek protections through a temporary or final protective order under the Sexual Assault Survivor's Protection Act of 2015 if the crime victim believes that he or she is at risk for re-victimization or other harm by the perpetrator.