

VICTIM/SURVIVOR RIGHTS

As a survivor:

YOU HAVE THE RIGHT to determine whether or not you want to report the sexual assault to law enforcement.

YOU HAVE THE RIGHT to request to be interviewed by a female officer if you decide to make a report. This may result in extremely lengthy delays in the reporting procedure.

YOU HAVE THE RIGHT to report but not proceed with prosecution.

YOU HAVE THE RIGHT to withdraw your testimony against the attacker at any time.

YOU HAVE THE RIGHT to be treated in a considerate and sensitive manner by law enforcement and prosecution personnel.

YOU HAVE THE RIGHT to sue a person or company for negligence if you were sexually assaulted in a place having unsafe conditions (apartment building or parking lot, for example).

YOU HAVE THE RIGHT to contact and be contacted (where and when you wish) by law enforcement and the District Attorney's Office.

YOU HAVE THE RIGHT to obtain copies of police reports regarding the sexual assault.

YOU HAVE THE RIGHT to report the attack to law enforcement and expect that all avenues within the law will be pursued to apprehend and convict the offender.

YOU HAVE THE RIGHT to file a third-party report (for example, a rape crisis center reports the crime but does not disclose your name).

YOU HAVE THE RIGHT not to be exposed to prejudice because of your race, age, class, lifestyle, or occupation.

YOU HAVE THE RIGHT to be considered a rape survivor regardless of the relationship of the assailant to you (i.e. spouse, acquaintance, relative, etc.).

YOU HAVE THE RIGHT to be loved -- you have done nothing wrong.

As a patient:

YOU HAVE THE RIGHT to call your personal physician to attend you.

YOU HAVE THE RIGHT to refuse the collection of medical evidence, even though you may request venereal disease and pregnancy tests.

YOU HAVE THE RIGHT to privacy during the collection of medical evidence. Even though you may be a minor, you have the right to have the examination without a parent or guardian present.

YOU HAVE THE RIGHT to request that law enforcement officers leave the examining room.

YOU HAVE THE RIGHT to request that a friend, family member, or rape crisis counselor accompany you in the examination room.

YOU HAVE THE RIGHT to have each procedure explained in detail before it is done.

YOU HAVE THE RIGHT to an explanation of the reason for every test, form, and procedure.

YOU HAVE THE RIGHT to copies of medical reports.

YOU HAVE THE RIGHT to make application for reimbursement through Victims of Violent Crimes Compensation for certain medical expenses.

YOU HAVE THE RIGHT to strict confidentiality.

YOU HAVE THE RIGHT to have common reactions to the rape, such as sleeplessness, nightmares, anxiety, fear, etc., and not have these reactions considered abnormal behavior.

As a witness:

YOU HAVE THE RIGHT to be asked only those questions that are relevant to a court case.

YOU HAVE THE RIGHT to attend all proceedings which are not closed to you as a witness or to the public.

YOU HAVE THE RIGHT to a translator in court if you do not speak English.

YOU HAVE THE RIGHT to any court records which are public.

YOU HAVE THE RIGHT to have your own attorney present during the proceedings. If you are a minor, you have the right to testify in closed chambers or to have your parents excused from the courtroom during your testimony.

YOU HAVE THE RIGHT to be informed of the parole date and release from jail if your assailant is found guilty and sent to prison.

YOU HAVE THE RIGHT to have someone with you (a friend, relative, rape crisis counselor, etc.) at police and court proceedings such as line-up identifications or Superior Court.

YOU HAVE THE RIGHT not to be asked questions about prior sexual experience-with anyone other than the defendant.

YOU HAVE THE RIGHT to sue the suspect in civil proceedings.

FINALLY . . . YOU HAVE THE RIGHT TO SURVIVE . . . which means that you have the right to request everything that you need in making the transition from victim to survivor.