

Your Rights as a Victim of Sexual Assault

As a sexual assault victim, New York State Public Health Law requires that I be provided with the “Victims Bill of Rights” so that I may be informed of my rights under the law. The law states that I have the right to:

Have an advocate stay with me through the physical exam or interview, and that the medical facility will contact the advocate organization on my behalf to have the advocate present prior to the start of the physical exam or interview.

Be offered and given at no charge medicine to prevent sexually transmitted infections and the HIV post exposure prophylaxis 7-day starter pack treatment therapy for HIV post exposure.

Be offered and provided with emergency contraception.

Have explained to me the Forensic Rape Exam Form so that I can choose to sign the form to obtain the forensic exam for free as well as the lab works, post exposure HIV meds, emergency contraception and other services related to the sexual assault.

However, for other expenses incurred that are not related to the forensic exam, my private health insurance may be billed.

To choose whether or not to report the sexual offense to the police. If I choose to report the offense, the hospital will give my evidence kit to the police and it will be tested within 100 days. I may contact the NYC Police Department hotline number **(646-610-7273)** at any time for information on my evidence collection kit including when the kit is tested, the result of any DNA match or the status of the criminal investigation or legal proceedings. If I choose not to report to the police now, my evidence kit will be maintained in storage for up to 20 years.

Benotified by the hospital between 30 to 10 days prior to the transfer of my evidence collection kit from the hospital to another storage facility for long-term storage.

The medical facility will provide me with a copy of this Victim’s Bill of Rights and the medical professional will offer to explain the rights to me before beginning the exam or interview.

Be notified that I may consent to have my evidence kit discarded at any time.

Be notified that I can take back at any time, any of my personal items retained as part of the evidence that is in storage.

Be notified that I have the right to choose to release my evidence kit to law enforcement at any time during the 20 years from collection.

Benotified by the storage facility at least 90 days before the end of the 20-year storage period.

BEFORE THE MEDICAL FACILITY BEGINS THE PHYSICAL EXAM OR INTERVIEW THE HEALTH CARE PROFESSIONAL CONDUCTING THE EXAM WILL PROVIDE ME WITH A COPY OF THIS VICTIM’S BILL OF RIGHTS AND OFFER TO EXPLAIN THE RIGHTS TO ME.