

# These are Your Rights

The 'New York State Sexual Assault Victim Bill of Rights' is a list of general information about your rights. This copy is for you to keep. If you wish, all the information can be explained to you in more detail before any exam or interview takes place.

## YOUR BASIC RIGHTS

- You cannot be treated differently based on certain characteristics, such as race, national origin, religion, sexual orientation, disability, age, source of payment, sex, gender identity, or gender expression.
- Your immigration status or national origin cannot affect your emergency care or services. You can ask for an interpreter if it is hard for you to understand or speak English.
- Minors under the age of 17 have certain rights to make their own decisions without a parent or legal guardian.

## YOUR RIGHTS IN THE HOSPITAL

- You can have an advocate from the local rape crisis program stay with you during the exam.
- You can have an exam in any hospital emergency department to collect evidence and provide certain medical care related to the sexual assault at no cost to you. If you do not have health insurance, or you decline to use your health insurance, you can ask the hospital to bill the Office of Victim Services.
- You can have medicine to prevent pregnancy and sexually transmitted infections (STIs, also known as STDs) for free. For HIV prevention, a 7-day pack of medicine can be started at the hospital.
- You will be provided information on appropriate follow-up medical care.

## REPORTING WHAT HAPPENED

- You can choose to report to the police or not.
- You can choose to have or not have an advocate from the local rape crisis program stay with you during your interview with the police or prosecutor.
- You will be given contact information for the police or prosecutor handling your case.
- You can contact the police or prosecutor for information on the criminal investigation or legal proceedings. The police or prosecutor will inform you of any legal action related to your case.
- If you choose to report to the police, your evidence will be tested within 100 days. You may contact the police for information on a DNA match.
- If you choose not to report to the police, your evidence will be stored for 20 years, or until you decide to release it. You will be notified if your evidence is moved and before the storage period ends.