





P.L. 2024, CHAPTER 59, *approved September 3, 2024*  
Senate, No. 1017

1 **AN ACT** concerning the rights of victims of sexual assault and  
2 amending and supplementing P.L.2019, c.103 (C.52:4B-60.1 et  
3 seq.).

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 2 of P.L.2019, c.103 (C.52:4B-60.2) is amended to  
9 read as follows:

10 2. The Legislature finds and declares that:

11 a. The enactment of the “Crime Victim’s Bill of Rights,”  
12 P.L.1985, c.249 (C.52:4B-34 et seq.) and the “New Jersey Campus  
13 Sexual Assault Victim’s Bill of Rights Act,” P.L.1994, c.160  
14 (C.18A:61E-1 et seq.) have resulted in significant advances in the  
15 recognition and protection of the rights of crime victims and  
16 survivors once they enter the criminal justice system;

17 b. Nonetheless, victims of sexual violence in particular often  
18 face circumstances where they may be blamed for the crime,  
19 assumed to be fabricating the crime, or taken less seriously than  
20 their injuries warrant. These victims are sometimes discouraged  
21 from proceeding with their complaints and as a result may not be  
22 afforded the protections and rights in the criminal justice system to  
23 which they are entitled;

24 c. Therefore, with no diminution of the legislatively-  
25 recognized rights of crime victims, it is the public policy of this  
26 State that the criminal justice system accord victims of sexual  
27 violence the following rights:

28 (1) To have any allegation of sexual assault treated seriously; to  
29 be treated with dignity and compassion; and to be notified of  
30 existing medical, counseling, mental health, or other services  
31 available for victims of sexual assault, whether or not the crime is  
32 reported to law enforcement;

33 (2) To be free, to the extent consistent with the New Jersey or  
34 United States Constitution, from any suggestion that victims are  
35 responsible for the commission of crimes against them or any  
36 suggestion that victims were contributorily negligent or assumed  
37 the risk of being assaulted;

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 (3) To be free from any suggestion that victims are to report the  
2 crimes to be assured of any other guaranteed right and that victims  
3 should refrain from reporting crimes in order to avoid unwanted  
4 personal publicity;
- 5 (4) When applicable, to no-cost access to the services of a  
6 sexual assault response team comprised of: a certified forensic  
7 nurse examiner, a confidential sexual violence advocate, and a law  
8 enforcement official as provided in accordance with the Attorney  
9 General’s Standards for Providing Services to Victims of Sexual  
10 Assault, and the choice to opt into or out of any of the team’s  
11 services;
- 12 (5) To be informed of, and assisted in exercising, the right to be  
13 confidentially or anonymously tested for acquired immune  
14 deficiency syndrome (AIDS) or infection with the human  
15 immunodeficiency virus (HIV) or any other related virus identified  
16 as a probable causative agent of AIDS; and to be informed of, and  
17 assisted in exercising, any rights that may be provided by law to  
18 compel and disclose the results of testing of a sexual assault suspect  
19 for communicable diseases;
- 20 (6) To have forensic medical evidence, if collected, retained for  
21 a minimum of five years, and to receive information about the  
22 status of the evidence upon request in accordance with section 2 of  
23 P.L. , c. (C. ) (pending before the Legislature as this bill);
- 24 (7) To choose whether to participate in any investigation of the  
25 assault;
- 26 (8) To reasonable efforts to provide treatment and interviews in  
27 a language in which the victim is fluent and the right to be given  
28 access to appropriate assistive devices to accommodate disabilities  
29 that the victim may have, whether temporary or long term;
- 30 (9) To information and assistance in accessing specialized  
31 mental health services; protection from further violence; other  
32 appropriate community or governmental services, including  
33 services provided by the Victims of Crime Compensation Office;  
34 and all other assistance available to crime victims under current  
35 law;
- 36 (10) To be apprised of the availability and process by which a  
37 court may order the taking of testimony from a victim via closed  
38 circuit television in accordance with section 1 of P.L.1985, c.126  
39 (C.2A:84A-32.4); and
- 40 (11) To be apprised of the availability and process by which to  
41 seek protections through a temporary or final protective order under  
42 the “Victim’s Assistance and Survivor Protection Act,” P.L.2015,  
43 c.147 (C.2C:14-13 et al.), if the victim believes that the victim is at  
44 risk for re-victimization or further harm by the perpetrator.  
45 (cf: P.L.2023, c.127, s.8)

1       2. (New section) a. A victim of a sexual assault offense shall  
2 have the right to be informed:

3       (1) of whether a DNA profile of an assailant was obtained from  
4 the processing of forensic medical evidence in a sexual assault case;

5       (2) of whether a DNA profile of an assailant has been entered  
6 into any data bank designed or intended to be used for the retention  
7 or comparison of case evidence;

8       (3) of whether there is a match between the DNA profile of an  
9 assailant obtained in the sexual assault case and any DNA profile  
10 contained in any data bank designed or intended to be used for the  
11 retention or comparison of case evidence. This paragraph shall not  
12 apply if disclosure would impede or compromise an ongoing  
13 investigation; and

14       (4) when sexual assault evidence is submitted to a forensic  
15 laboratory, when the evidence is compared against any data bank,  
16 and of the results of the comparison. This paragraph shall not apply  
17 if disclosure would impede or compromise an ongoing  
18 investigation.

19       b. Upon the request of a victim of a sexual assault offense, the  
20 law enforcement agency with the primary responsibility for  
21 investigating that sexual assault case shall inform the victim of the  
22 status of the processing of all evidence collected in that case. The  
23 law enforcement agency may require that the victim's request made  
24 pursuant to this subsection be in writing.

25       The law enforcement agency may respond to a victim's request  
26 under this section with a written communication or by electronic  
27 mail, if an electronic mail address is available. A law enforcement  
28 agency is not required by this subsection to communicate with the  
29 victim regarding the status of the processing of crime scene  
30 evidence unless the victim has made a specific request to do so.

31       A sexual assault victim may designate another person of the  
32 victim's choosing to receive information requested by the sexual  
33 assault victim or any notice required under this act.

34       c. The law enforcement agency with the primary responsibility  
35 for investigating a sexual assault case shall provide information to a  
36 victim pursuant to this section in a timely manner and, upon request  
37 of the victim, advise the victim of any significant changes in the  
38 information of which the law enforcement agency is aware. To  
39 receive notice under this section, the victim shall inform the law  
40 enforcement agency of the name, address, telephone number, and  
41 electronic mail address of the person to whom the information  
42 should be provided, and of any changes to the information. A  
43 person accused or convicted of a crime against the victim shall not  
44 have standing to object to any failure to comply with this section.  
45 The failure to inform a sexual assault victim with notice or  
46 information pursuant to this section shall not be the basis for setting  
47 aside the conviction or sentence.

**S1017**

4

1       3. This act shall take effect on the first day of the fourth month  
2 after enactment.

3

4

5

6

7       Establishes right of sexual assault victim to notification of  
8 certain developments in criminal case.

## CHAPTER 59

AN ACT concerning the rights of victims of sexual assault and amending and supplementing P.L.2019, c.103 (C.52:4B-60.1 et seq.).

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 2 of P.L.2019, c.103 (C.52:4B-60.2) is amended to read as follows:

C.52:4B-60.2 Findings, declarations relative to the rights of victims of sexual violence.

2. The Legislature finds and declares that:

a. The enactment of the “Crime Victim’s Bill of Rights,” P.L.1985, c.249 (C.52:4B-34 et seq.) and the “New Jersey Campus Sexual Assault Victim’s Bill of Rights Act,” P.L.1994, c.160 (C.18A:61E-1 et seq.) have resulted in significant advances in the recognition and protection of the rights of crime victims and survivors once they enter the criminal justice system;

b. Nonetheless, victims of sexual violence in particular often face circumstances where they may be blamed for the crime, assumed to be fabricating the crime, or taken less seriously than their injuries warrant. These victims are sometimes discouraged from proceeding with their complaints and as a result may not be afforded the protections and rights in the criminal justice system to which they are entitled;

c. Therefore, with no diminution of the legislatively-recognized rights of crime victims, it is the public policy of this State that the criminal justice system accord victims of sexual violence 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, to the extent consistent with the New Jersey or United States Constitution, from any suggestion that victims are responsible for the commission of crimes against them or any suggestion that victims were contributorily negligent or assumed the risk of being assaulted;

(3) To be free from any suggestion that victims are to report the crimes to be assured of any other guaranteed right and that victims should refrain from reporting crimes in order to avoid unwanted personal publicity;

(4) When applicable, to no-cost access to the services of a sexual assault response team comprised of: a certified forensic nurse examiner, a confidential sexual violence advocate, and a law enforcement official as provided in accordance with the Attorney General’s Standards for Providing Services to Victims of Sexual Assault, and the choice to opt into or out of any of the team’s services;

(5) 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 causative agent of AIDS; and to be informed of, and assisted in exercising, any rights that may be provided by law to compel and disclose the results of testing of a sexual assault suspect for communicable diseases;

(6) To have forensic medical evidence, if collected, retained for a minimum of five years, and to receive information about the status of the evidence upon request in accordance with section 2 of P.L.2024, c.59 (C.52:4B-60.2a);

(7) To choose whether to participate in any investigation of the assault;

(8) 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;

(9) To information and assistance in accessing specialized mental health services; protection from further violence; other appropriate community or governmental services, including

services provided by the Victims of Crime Compensation Office; and all other assistance available to crime victims under current law;

(10) To be apprised of the availability and process by which a court may order the taking of testimony from a victim via closed circuit television in accordance with section 1 of P.L.1985, c.126 (C.2A:84A-32.4); and

(11) To be apprised of the availability and process by which to seek protections through a temporary or final protective order under the “Victim’s Assistance and Survivor Protection Act,” P.L.2015, c.147 (C.2C:14-13 et al.), if the victim believes that the victim is at risk for re-victimization or further harm by the perpetrator.

C.52:4B-60.2a Sexual assault victim, right to be informed, certain details.

2. a. A victim of a sexual assault offense shall have the right to be informed:

(1) of whether a DNA profile of an assailant was obtained from the processing of forensic medical evidence in a sexual assault case;

(2) of whether a DNA profile of an assailant has been entered into any data bank designed or intended to be used for the retention or comparison of case evidence;

(3) of whether there is a match between the DNA profile of an assailant obtained in the sexual assault case and any DNA profile contained in any data bank designed or intended to be used for the retention or comparison of case evidence. This paragraph shall not apply if disclosure would impede or compromise an ongoing investigation; and

(4) when sexual assault evidence is submitted to a forensic laboratory, when the evidence is compared against any data bank, and of the results of the comparison. This paragraph shall not apply if disclosure would impede or compromise an ongoing investigation.

b. Upon the request of a victim of a sexual assault offense, the law enforcement agency with the primary responsibility for investigating that sexual assault case shall inform the victim of the status of the processing of all evidence collected in that case. The law enforcement agency may require that the victim's request made pursuant to this subsection be in writing.

The law enforcement agency may respond to a victim's request under this section with a written communication or by electronic mail, if an electronic mail address is available. A law enforcement agency is not required by this subsection to communicate with the victim regarding the status of the processing of crime scene evidence unless the victim has made a specific request to do so.

A sexual assault victim may designate another person of the victim’s choosing to receive information requested by the sexual assault victim or any notice required under this act.

c. The law enforcement agency with the primary responsibility for investigating a sexual assault case shall provide information to a victim pursuant to this section in a timely manner and, upon request of the victim, advise the victim of any significant changes in the information of which the law enforcement agency is aware. To receive notice under this section, the victim shall inform the law enforcement agency of the name, address, telephone number, and electronic mail address of the person to whom the information should be provided, and of any changes to the information. A person accused or convicted of a crime against the victim shall not have standing to object to any failure to comply with this section. The failure to inform a sexual assault victim with notice or information pursuant to this section shall not be the basis for setting aside the conviction or sentence.

3. This act shall take effect on the first day of the fourth month after enactment.

Approved September 3, 2024.

# SENATE, No. 1017

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator DECLAN J. O'SCANLON, JR.**

**District 13 (Monmouth)**

**Co-Sponsored by:**

**Senator Henry**

**SYNOPSIS**

Establishes right of sexual assault victim to notification of certain developments in criminal case.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/7/2024)**

1 AN ACT concerning the rights of victims of sexual assault and  
2 amending and supplementing P.L.2019, c.103 (C.52:4B-60.1 et  
3 seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. Section 2 of P.L.2019, c.103 (C.52:4B-60.2) is amended to  
9 read as follows:

10 2. The Legislature finds and declares that:

11 a. The enactment of the "Crime Victim's Bill of Rights,"  
12 P.L.1985, c.249 (C.52:4B-34 et seq.) and the "New Jersey Campus  
13 Sexual Assault Victim's Bill of Rights Act," P.L.1994, c.160  
14 (C.18A:61E-1 et seq.) have resulted in significant advances in the  
15 recognition and protection of the rights of crime victims and  
16 survivors once they enter the criminal justice system;

17 b. Nonetheless, victims of sexual violence in particular often  
18 face circumstances where they may be blamed for the crime,  
19 assumed to be fabricating the crime, or taken less seriously than  
20 their injuries warrant. These victims are sometimes discouraged  
21 from proceeding with their complaints and as a result may not be  
22 afforded the protections and rights in the criminal justice system to  
23 which they are entitled;

24 c. Therefore, with no diminution of the legislatively-  
25 recognized rights of crime victims, it is the public policy of this  
26 State that the criminal justice system accord victims of sexual  
27 violence the following rights:

28 (1) To have any allegation of sexual assault treated seriously; to  
29 be treated with dignity and compassion; and to be notified of  
30 existing medical, counseling, mental health, or other services  
31 available for victims of sexual assault, whether or not the crime is  
32 reported to law enforcement;

33 (2) To be free, to the extent consistent with the New Jersey or  
34 United States Constitution, from any suggestion that victims are  
35 responsible for the commission of crimes against them or any  
36 suggestion that victims were contributorily negligent or assumed  
37 the risk of being assaulted;

38 (3) To be free from any suggestion that victims are to report the  
39 crimes to be assured of any other guaranteed right and that victims  
40 should refrain from reporting crimes in order to avoid unwanted  
41 personal publicity;

42 (4) When applicable, to no-cost access to the services of a  
43 sexual assault response team comprised of: a certified forensic  
44 nurse examiner, a confidential sexual violence advocate, and a law  
45 enforcement official as provided in accordance with the Attorney

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 General's Standards for Providing Services to Victims of Sexual  
2 Assault, and the choice to opt into or out of any of the team's  
3 services;

4 (5) To be informed of, and assisted in exercising, the right to be  
5 confidentially or anonymously tested for acquired immune  
6 deficiency syndrome (AIDS) or infection with the human  
7 immunodeficiency virus (HIV) or any other related virus identified  
8 as a probable causative agent of AIDS; and to be informed of, and  
9 assisted in exercising, any rights that may be provided by law to  
10 compel and disclose the results of testing of a sexual assault suspect  
11 for communicable diseases;

12 (6) To have forensic medical evidence, if collected, retained for  
13 a minimum of five years, and to receive information about the  
14 status of the evidence upon request in accordance with section 2 of  
15 P.L. , c. (C. ) (pending before the Legislature as this bill);

16 (7) To choose whether to participate in any investigation of the  
17 assault;

18 (8) To reasonable efforts to provide treatment and interviews in  
19 a language in which the victim is fluent and the right to be given  
20 access to appropriate assistive devices to accommodate disabilities  
21 that the victim may have, whether temporary or long term;

22 (9) To information and assistance in accessing specialized  
23 mental health services; protection from further violence; other  
24 appropriate community or governmental services, including  
25 services provided by the Victims of Crime Compensation Office;  
26 and all other assistance available to crime victims under current  
27 law;

28 (10) To be apprised of the availability and process by which a  
29 court may order the taking of testimony from a victim via closed  
30 circuit television in accordance with section 1 of P.L.1985, c.126  
31 (C.2A:84A-32.4); and

32 (11) To be apprised of the availability and process by which to  
33 seek protections through a temporary or final protective order under  
34 the "Sexual Assault Survivor Protection Act of 2015," P.L.2015,  
35 c.147 (C.2C:14-13 et seq.), if the victim believes that the victim is  
36 at risk for re-victimization or further harm by the perpetrator.  
37 (cf: P.L.2019, c.103, s.2)

38  
39 2. (New section) a. A victim of a sexual assault offense shall  
40 have the right to be informed:

41 (1) of whether a DNA profile of an assailant was obtained from  
42 the processing of forensic medical evidence in a sexual assault case;

43 (2) of whether a DNA profile of an assailant has been entered  
44 into any data bank designed or intended to be used for the retention  
45 or comparison of case evidence;

46 (3) of whether there is a match between the DNA profile of an  
47 assailant obtained in the sexual assault case and any DNA profile  
48 contained in any data bank designed or intended to be used for the

1 retention or comparison of case evidence. This paragraph shall not  
2 apply if disclosure would impede or compromise an ongoing  
3 investigation; and

4 (4) when sexual assault evidence is submitted to a forensic  
5 laboratory, when the evidence is compared against any data bank,  
6 and of the results of the comparison. This paragraph shall not apply  
7 if disclosure would impede or compromise an ongoing  
8 investigation.

9 b. Upon the request of a victim of a sexual assault offense, the  
10 law enforcement agency with the primary responsibility for  
11 investigating that sexual assault case shall inform the victim of the  
12 status of the processing of all evidence collected in that case. The  
13 law enforcement agency may require that the victim's request made  
14 pursuant to this subsection be in writing.

15 The law enforcement agency may respond to a victim's request  
16 under this section with a written communication or by electronic  
17 mail, if an electronic mail address is available. A law enforcement  
18 agency is not required by this subsection to communicate with the  
19 victim regarding the status of the processing of crime scene  
20 evidence unless the victim has made a specific request to do so.

21 A sexual assault victim may designate another person of the  
22 victim's choosing to receive information requested by the sexual  
23 assault victim or any notice required under this act.

24 c. The law enforcement agency with the primary responsibility  
25 for investigating a sexual assault case shall provide information to a  
26 victim pursuant to this section in a timely manner and, upon request  
27 of the victim, advise the victim of any significant changes in the  
28 information of which the law enforcement agency is aware. To  
29 receive notice under this section, the victim shall inform the law  
30 enforcement agency of the name, address, telephone number, and  
31 electronic mail address of the person to whom the information  
32 should be provided, and of any changes to the information. A  
33 person accused or convicted of a crime against the victim shall not  
34 have standing to object to any failure to comply with this section.  
35 The failure to inform a sexual assault victim with notice or  
36 information pursuant to this section shall not be the basis for setting  
37 aside the conviction or sentence.

38  
39 3. This act shall take effect on the first day of the fourth month  
40 after enactment.

41  
42

43 STATEMENT

44  
45  
46

This bill requires sexual assault victims to be notified of certain developments concerning the evidence in their cases.

1 Specifically, the bill expands the State's "Sexual Assault  
2 Victim's Bill of Rights" (SAVBR) to give sexual assault victims the  
3 right to be informed if:

4 (1) a DNA profile of an assailant was obtained from the  
5 processing of evidence in the sexual assault case;

6 (2) a DNA profile of an assailant has been entered into any data  
7 bank designed or intended to be used for the retention or  
8 comparison of case evidence;

9 (3) there is a match between the DNA profile of an assailant  
10 obtained in the sexual assault case and a DNA profile contained in  
11 any data bank designed or intended to be used for the retention or  
12 comparison of case evidence; and

13 (4) sexual assault evidence is submitted to a forensic laboratory,  
14 if that evidence is compared against any data bank, and the results  
15 of the comparison.

16 Additionally, under the bill, upon a victim's request, the law  
17 enforcement agency with the primary responsibility for  
18 investigating a sexual assault case is required to inform the victim  
19 of the status of the processing of all evidence collected in that case.  
20 The bill authorizes the victim to designate another person of the  
21 victim's choosing to receive information requested by the sexual  
22 assault victim or any notice required by the bill. The victim is  
23 responsible for keeping the law enforcement agency informed of the  
24 name, address, telephone number, and electronic mail address of the  
25 person to whom the information should be provided, and of any  
26 changes in this information.

27 Under current law, the SAVBR includes a brief provision  
28 concerning the right of sexual assault victims to receive information  
29 about the status of evidence upon request. The language of the bill  
30 provides further details and clarity regarding the rights of sexual  
31 assault victims and the obligations of law enforcement concerning  
32 that information.

# SENATE, No. 1017

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator DECLAN J. O'SCANLON, JR.**

**District 13 (Monmouth)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblywoman MICHELE MATSIKLOUDIS**

**District 21 (Middlesex, Morris, Somerset and Union)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

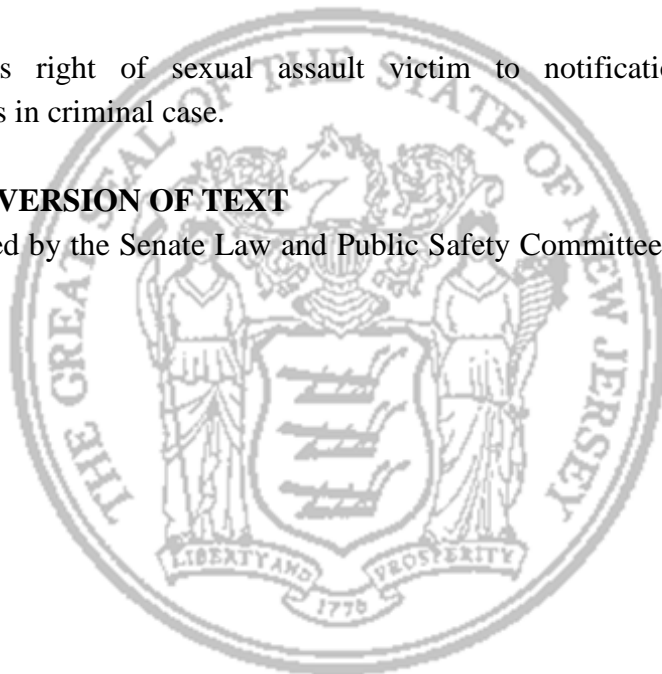
**Senators Henry, McKnight, Assemblymen Hutchison, Atkins, Rodriguez,  
Assemblywoman Flynn and Assemblyman Freiman**

**SYNOPSIS**

Establishes right of sexual assault victim to notification of certain developments in criminal case.

**CURRENT VERSION OF TEXT**

As reported by the Senate Law and Public Safety Committee with technical review.



**(Sponsorship Updated As Of: 6/28/2024)**

1 AN ACT concerning the rights of victims of sexual assault and  
2 amending and supplementing P.L.2019, c.103 (C.52:4B-60.1 et  
3 seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
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15 recognition and protection of the rights of crime victims and  
16 survivors once they enter the criminal justice system;

17 b. Nonetheless, victims of sexual violence in particular often  
18 face circumstances where they may be blamed for the crime,  
19 assumed to be fabricating the crime, or taken less seriously than  
20 their injuries warrant. These victims are sometimes discouraged  
21 from proceeding with their complaints and as a result may not be  
22 afforded the protections and rights in the criminal justice system to  
23 which they are entitled;

24 c. Therefore, with no diminution of the legislatively-  
25 recognized rights of crime victims, it is the public policy of this  
26 State that the criminal justice system accord victims of sexual  
27 violence the following rights:

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29 be treated with dignity and compassion; and to be notified of  
30 existing medical, counseling, mental health, or other services  
31 available for victims of sexual assault, whether or not the crime is  
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33 (2) To be free, to the extent consistent with the New Jersey or  
34 United States Constitution, from any suggestion that victims are  
35 responsible for the commission of crimes against them or any  
36 suggestion that victims were contributorily negligent or assumed  
37 the risk of being assaulted;

38 (3) To be free from any suggestion that victims are to report the  
39 crimes to be assured of any other guaranteed right and that victims  
40 should refrain from reporting crimes in order to avoid unwanted  
41 personal publicity;

42 (4) When applicable, to no-cost access to the services of a  
43 sexual assault response team comprised of: a certified forensic  
44 nurse examiner, a confidential sexual violence advocate, and a law  
45 enforcement official as provided in accordance with the Attorney

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 General's Standards for Providing Services to Victims of Sexual  
2 Assault, and the choice to opt into or out of any of the team's  
3 services;

4 (5) To be informed of, and assisted in exercising, the right to be  
5 confidentially or anonymously tested for acquired immune  
6 deficiency syndrome (AIDS) or infection with the human  
7 immunodeficiency virus (HIV) or any other related virus identified  
8 as a probable causative agent of AIDS; and to be informed of, and  
9 assisted in exercising, any rights that may be provided by law to  
10 compel and disclose the results of testing of a sexual assault suspect  
11 for communicable diseases;

12 (6) To have forensic medical evidence, if collected, retained for  
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19 a language in which the victim is fluent and the right to be given  
20 access to appropriate assistive devices to accommodate disabilities  
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24 appropriate community or governmental services, including  
25 services provided by the Victims of Crime Compensation Office;  
26 and all other assistance available to crime victims under current  
27 law;

28 (10) To be apprised of the availability and process by which a  
29 court may order the taking of testimony from a victim via closed  
30 circuit television in accordance with section 1 of P.L.1985, c.126  
31 (C.2A:84A-32.4); and

32 (11) To be apprised of the availability and process by which to  
33 seek protections through a temporary or final protective order under  
34 the "Victim's Assistance and Survivor Protection Act," P.L.2015,  
35 c.147 (C.2C:14-13 et al.), if the victim believes that the victim is at  
36 risk for re-victimization or further harm by the perpetrator.  
37 (cf: P.L.2023, c.127, s.8)

38  
39 2. (New section) a. A victim of a sexual assault offense shall  
40 have the right to be informed:

41 (1) of whether a DNA profile of an assailant was obtained from  
42 the processing of forensic medical evidence in a sexual assault case;

43 (2) of whether a DNA profile of an assailant has been entered  
44 into any data bank designed or intended to be used for the retention  
45 or comparison of case evidence;

46 (3) of whether there is a match between the DNA profile of an  
47 assailant obtained in the sexual assault case and any DNA profile  
48 contained in any data bank designed or intended to be used for the

1 retention or comparison of case evidence. This paragraph shall not  
2 apply if disclosure would impede or compromise an ongoing  
3 investigation; and

4 (4) when sexual assault evidence is submitted to a forensic  
5 laboratory, when the evidence is compared against any data bank,  
6 and of the results of the comparison. This paragraph shall not apply  
7 if disclosure would impede or compromise an ongoing  
8 investigation.

9 b. Upon the request of a victim of a sexual assault offense, the  
10 law enforcement agency with the primary responsibility for  
11 investigating that sexual assault case shall inform the victim of the  
12 status of the processing of all evidence collected in that case. The  
13 law enforcement agency may require that the victim's request made  
14 pursuant to this subsection be in writing.

15 The law enforcement agency may respond to a victim's request  
16 under this section with a written communication or by electronic  
17 mail, if an electronic mail address is available. A law enforcement  
18 agency is not required by this subsection to communicate with the  
19 victim regarding the status of the processing of crime scene  
20 evidence unless the victim has made a specific request to do so.

21 A sexual assault victim may designate another person of the  
22 victim's choosing to receive information requested by the sexual  
23 assault victim or any notice required under this act.

24 c. The law enforcement agency with the primary responsibility  
25 for investigating a sexual assault case shall provide information to a  
26 victim pursuant to this section in a timely manner and, upon request  
27 of the victim, advise the victim of any significant changes in the  
28 information of which the law enforcement agency is aware. To  
29 receive notice under this section, the victim shall inform the law  
30 enforcement agency of the name, address, telephone number, and  
31 electronic mail address of the person to whom the information  
32 should be provided, and of any changes to the information. A  
33 person accused or convicted of a crime against the victim shall not  
34 have standing to object to any failure to comply with this section.  
35 The failure to inform a sexual assault victim with notice or  
36 information pursuant to this section shall not be the basis for setting  
37 aside the conviction or sentence.

38  
39 3. This act shall take effect on the first day of the fourth month  
40 after enactment.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 1017

# STATE OF NEW JERSEY

DATED: JUNE 6, 2024

The Assembly Judiciary Committee reports favorably Senate Bill No. 1017.

As reported by the committee, this bill requires sexual assault victims to be notified of certain developments concerning the evidence in their cases.

Specifically, the bill expands the State's "Sexual Assault Victim's Bill of Rights" (SAVBR) to give sexual assault victims the right to be informed if:

(1) a DNA profile of an assailant was obtained from the processing of evidence in the sexual assault case;

(2) a DNA profile of an assailant has been entered into any data bank designed or intended to be used for the retention or comparison of case evidence;

(3) there is a match between the DNA profile of an assailant obtained in the sexual assault case and a DNA profile contained in any data bank designed or intended to be used for the retention or comparison of case evidence; and

(4) sexual assault evidence is submitted to a forensic laboratory, if that evidence is compared against any data bank, and the results of the comparison.

Additionally, under the bill, upon a victim's request, the law enforcement agency with the primary responsibility for investigating a sexual assault case is required to inform the victim of the status of the processing of all evidence collected in that case. The bill authorizes the victim to designate another person of the victim's choosing to receive information requested by the sexual assault victim or any notice required by the bill. The victim is responsible for keeping the law enforcement agency informed of the name, address, telephone number, and electronic mail address of the person to whom the information should be provided, and of any changes in this information.

Under current law, the SAVBR includes a brief provision concerning the right of sexual assault victims to receive information about the status of evidence upon request. The language of the bill provides further details and clarity regarding the rights of sexual assault victims and the obligations of law enforcement concerning that information

As reported by the committee, Senate Bill No. 1017 is identical to Assembly Bill No. 3748, which was also reported by the committee on this date.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 1017

# STATE OF NEW JERSEY

DATED: MARCH 7, 2024

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 1017.

As reported by the committee, this bill requires sexual assault victims to be notified of certain developments concerning the evidence in their cases.

Specifically, the bill expands the State's "Sexual Assault Victim's Bill of Rights" (SAVBR) to give sexual assault victims the right to be informed if:

(1) a DNA profile of an assailant was obtained from the processing of evidence in the sexual assault case;

(2) a DNA profile of an assailant has been entered into any data bank designed or intended to be used for the retention or comparison of case evidence;

(3) there is a match between the DNA profile of an assailant obtained in the sexual assault case and a DNA profile contained in any data bank designed or intended to be used for the retention or comparison of case evidence; and

(4) sexual assault evidence is submitted to a forensic laboratory, if that evidence is compared against any data bank, and the results of the comparison.

Additionally, under the bill, upon a victim's request, the law enforcement agency with the primary responsibility for investigating a sexual assault case is required to inform the victim of the status of the processing of all evidence collected in that case. The bill authorizes the victim to designate another person of the victim's choosing to receive information requested by the sexual assault victim or any notice required by the bill. The victim is responsible for keeping the law enforcement agency informed of the name, address, telephone number, and electronic mail address of the person to whom the information should be provided, and of any changes in this information.

Under current law, the SAVBR includes a brief provision concerning the right of sexual assault victims to receive information about the status of evidence upon request. The language of the bill provides further details and clarity regarding the rights of sexual assault victims and the obligations of law enforcement concerning that information.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

**ASSEMBLY, No. 3748**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED FEBRUARY 22, 2024

**Sponsored by:**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblywoman MICHELE MATSIKLOUDIS**

**District 21 (Middlesex, Morris, Somerset and Union)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblymen Hutchison, Atkins, Rodriguez, Assemblywoman Flynn and**

**Assemblyman Freiman**

**SYNOPSIS**

Establishes right of sexual assault victim to notification of certain developments in criminal case.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/28/2024)**

1 AN ACT concerning the rights of victims of sexual assault and  
2 amending and supplementing P.L.2019, c.103 (C.52:4B-60.1 et  
3 seq.).

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. Section 2 of P.L.2019, c.103 (C.52:4B-60.2) is amended to  
9 read as follows:

10 2. The Legislature finds and declares that:

11 a. The enactment of the "Crime Victim's Bill of Rights,"  
12 P.L.1985, c.249 (C.52:4B-34 et seq.) and the "New Jersey Campus  
13 Sexual Assault Victim's Bill of Rights Act," P.L.1994, c.160  
14 (C.18A:61E-1 et seq.) have resulted in significant advances in the  
15 recognition and protection of the rights of crime victims and  
16 survivors once they enter the criminal justice system;

17 b. Nonetheless, victims of sexual violence in particular often  
18 face circumstances where they may be blamed for the crime,  
19 assumed to be fabricating the crime, or taken less seriously than  
20 their injuries warrant. These victims are sometimes discouraged  
21 from proceeding with their complaints and as a result may not be  
22 afforded the protections and rights in the criminal justice system to  
23 which they are entitled;

24 c. Therefore, with no diminution of the legislatively-  
25 recognized rights of crime victims, it is the public policy of this  
26 State that the criminal justice system accord victims of sexual  
27 violence the following rights:

28 (1) To have any allegation of sexual assault treated seriously; to  
29 be treated with dignity and compassion; and to be notified of  
30 existing medical, counseling, mental health, or other services  
31 available for victims of sexual assault, whether or not the crime is  
32 reported to law enforcement;

33 (2) To be free, to the extent consistent with the New Jersey or  
34 United States Constitution, from any suggestion that victims are  
35 responsible for the commission of crimes against them or any  
36 suggestion that victims were contributorily negligent or assumed  
37 the risk of being assaulted;

38 (3) To be free from any suggestion that victims are to report the  
39 crimes to be assured of any other guaranteed right and that victims  
40 should refrain from reporting crimes in order to avoid unwanted  
41 personal publicity;

42 (4) When applicable, to no-cost access to the services of a  
43 sexual assault response team comprised of: a certified forensic  
44 nurse examiner, a confidential sexual violence advocate, and a law  
45 enforcement official as provided in accordance with the Attorney

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 General's Standards for Providing Services to Victims of Sexual  
2 Assault, and the choice to opt into or out of any of the team's  
3 services;

4 (5) To be informed of, and assisted in exercising, the right to be  
5 confidentially or anonymously tested for acquired immune  
6 deficiency syndrome (AIDS) or infection with the human  
7 immunodeficiency virus (HIV) or any other related virus identified  
8 as a probable causative agent of AIDS; and to be informed of, and  
9 assisted in exercising, any rights that may be provided by law to  
10 compel and disclose the results of testing of a sexual assault suspect  
11 for communicable diseases;

12 (6) To have forensic medical evidence, if collected, retained for  
13 a minimum of five years, and to receive information about the  
14 status of the evidence upon request in accordance with section 2 of  
15 P.L. , c. (C. ) (pending before the Legislature as this bill);

16 (7) To choose whether to participate in any investigation of the  
17 assault;

18 (8) To reasonable efforts to provide treatment and interviews in  
19 a language in which the victim is fluent and the right to be given  
20 access to appropriate assistive devices to accommodate disabilities  
21 that the victim may have, whether temporary or long term;

22 (9) To information and assistance in accessing specialized  
23 mental health services; protection from further violence; other  
24 appropriate community or governmental services, including  
25 services provided by the Victims of Crime Compensation Office;  
26 and all other assistance available to crime victims under current  
27 law;

28 (10) To be apprised of the availability and process by which a  
29 court may order the taking of testimony from a victim via closed  
30 circuit television in accordance with section 1 of P.L.1985, c.126  
31 (C.2A:84A-32.4); and

32 (11) To be apprised of the availability and process by which to  
33 seek protections through a temporary or final protective order under  
34 the "Victim's Assistance and Survivor Protection Act," P.L.2015,  
35 c.147 (C.2C:14-13 et al.), if the victim believes that the victim is at  
36 risk for re-victimization or further harm by the perpetrator.  
37 (cf: P.L.2023, c.127, s.8)

38

39 2. (New section) a. A victim of a sexual assault offense shall  
40 have the right to be informed:

41 (1) of whether a DNA profile of an assailant was obtained from the  
42 processing of forensic medical evidence in a sexual assault case;

43 (2) of whether a DNA profile of an assailant has been entered into  
44 any data bank designed or intended to be used for the retention or  
45 comparison of case evidence;

46 (3) of whether there is a match between the DNA profile of an  
47 assailant obtained in the sexual assault case and any DNA profile  
48 contained in any data bank designed or intended to be used for the

1 retention or comparison of case evidence. This paragraph shall not  
2 apply if disclosure would impede or compromise an ongoing  
3 investigation; and

4 (4) when sexual assault evidence is submitted to a forensic  
5 laboratory, when the evidence is compared against any data bank, and  
6 of the results of the comparison. This paragraph shall not apply if  
7 disclosure would impede or compromise an ongoing investigation.

8 b. Upon the request of a victim of a sexual assault offense, the  
9 law enforcement agency with the primary responsibility for  
10 investigating that sexual assault case shall inform the victim of the  
11 status of the processing of all evidence collected in that case. The law  
12 enforcement agency may require that the victim's request made  
13 pursuant to this subsection be in writing.

14 The law enforcement agency may respond to a victim's request  
15 under this section with a written communication or by electronic mail,  
16 if an electronic mail address is available. A law enforcement agency is  
17 not required by this subsection to communicate with the victim  
18 regarding the status of the processing of crime scene evidence unless  
19 the victim has made a specific request to do so.

20 A sexual assault victim may designate another person of the  
21 victim's choosing to receive information requested by the sexual  
22 assault victim or any notice required under this act.

23 c. The law enforcement agency with the primary responsibility  
24 for investigating a sexual assault case shall provide information to a  
25 victim pursuant to this section in a timely manner and, upon request of  
26 the victim, advise the victim of any significant changes in the  
27 information of which the law enforcement agency is aware. To receive  
28 notice under this section, the victim shall inform the law enforcement  
29 agency of the name, address, telephone number, and electronic mail  
30 address of the person to whom the information should be provided,  
31 and of any changes to the information. A person accused or convicted  
32 of a crime against the victim shall not have standing to object to any  
33 failure to comply with this section. The failure to inform a sexual  
34 assault victim with notice or information pursuant to this section shall  
35 not be the basis for setting aside the conviction or sentence.

36  
37 3. This act shall take effect on the first day of the fourth month  
38 after enactment.

39

40

41

#### STATEMENT

42

43 This bill requires sexual assault victims to be notified of certain  
44 developments concerning the evidence in their cases.

45 Specifically, the bill expands the State's Sexual Assault Victim's  
46 Bill of Rights to give sexual assault victims the right to be informed  
47 if:

- 1 (1) a DNA profile of an assailant was obtained from the  
2 processing of evidence in the sexual assault case;
  - 3 (2) a DNA profile of an assailant has been entered into any data  
4 bank designed or intended to be used for the retention or  
5 comparison of case evidence;
  - 6 (3) there is a match between the DNA profile of an assailant  
7 obtained in the sexual assault case and a DNA profile contained in  
8 any data bank designed or intended to be used for the retention or  
9 comparison of case evidence; and
  - 10 (4) sexual assault evidence is submitted to a forensic laboratory,  
11 if that evidence is compared against any data bank, and the results  
12 of the comparison.
- 13 Additionally, under the bill, upon a victim's request, the law  
14 enforcement agency with the primary responsibility for  
15 investigating a sexual assault case is required to inform the victim  
16 of the status of the processing of all evidence collected in that case.  
17 The bill authorizes the victim to designate another person of the  
18 victim's choosing to receive information requested by the sexual  
19 assault victim or any notice required by the bill. The victim is  
20 responsible for keeping the law enforcement agency informed of the  
21 name, address, telephone number, and electronic mail address of the  
22 person to whom the information should be provided, and of any  
23 changes in this information.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 3748

# STATE OF NEW JERSEY

DATED: JUNE 6, 2024

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3748.

As reported by the committee, this bill requires sexual assault victims to be notified of certain developments concerning the evidence in their cases.

Specifically, the bill expands the State's "Sexual Assault Victim's Bill of Rights" (SAVBR) to give sexual assault victims the right to be informed if:

(1) a DNA profile of an assailant was obtained from the processing of evidence in the sexual assault case;

(2) a DNA profile of an assailant has been entered into any data bank designed or intended to be used for the retention or comparison of case evidence;

(3) there is a match between the DNA profile of an assailant obtained in the sexual assault case and a DNA profile contained in any data bank designed or intended to be used for the retention or comparison of case evidence; and

(4) sexual assault evidence is submitted to a forensic laboratory, if that evidence is compared against any data bank, and the results of the comparison.

Additionally, under the bill, upon a victim's request, the law enforcement agency with the primary responsibility for investigating a sexual assault case is required to inform the victim of the status of the processing of all evidence collected in that case. The bill authorizes the victim to designate another person of the victim's choosing to receive information requested by the sexual assault victim or any notice required by the bill. The victim is responsible for keeping the law enforcement agency informed of the name, address, telephone number, and electronic mail address of the person to whom the information should be provided, and of any changes in this information.

Under current law, the SAVBR includes a brief provision concerning the right of sexual assault victims to receive information about the status of evidence upon request. The language of the bill provides further details and clarity regarding the rights of sexual assault victims and the obligations of law enforcement concerning that information

As reported by the committee, Assembly Bill No. 3748 is identical to Senate Bill No. 1017, which was also reported by the committee on this date.

# Governor Murphy Signs Bipartisan Legislation Expanding Sexual Assault Victim's Bill of Rights

09/3/2024

**TRENTON** — Today, Governor Phil Murphy signed S1017/A3748 into law, requiring that victims of sexual assault be notified of certain developments concerning the evidence in their respective cases. This legislation expands New Jersey's existing Sexual Assault Victim's Bill of Rights, ensuring survivors are granted the updates to which they are entitled.

The Sexual Assault Victim's Bill of Rights was enacted in 2019 to outline basic protections and fundamental rights for sexual assault survivors. It guarantees that allegations be treated with dignity and compassion, as well as several other entitlements and protections to be granted throughout investigation proceedings.

"We commend the courage and bravery exhibited by sexual assault survivors that have come forward and we are here to support them on every step of their journeys to justice," **said Governor Phil Murphy**. "This bipartisan legislation increases transparency with law enforcement to ensure a victim-centered approach and guarantee that survivors and their cases are treated with the care and consideration they deserve. I am proud to sign this bill into law, marking another step forward in building a safer, fairer New Jersey for all."

"Victims of sexual assault have a right to know the details of their cases. New Jersey's survivor-centered, trauma-informed policies have already made great strides in making our criminal justice system more accessible to survivors," **said Attorney General Platkin**. "With this critical legislation, Governor Murphy and the Legislature are not only increasing our chances of successfully prosecuting sexual violence offenders and diminishing their threat to public safety, they are also helping to increase survivors' trust in our justice system."

The following developments in sexual assault investigations are now explicitly required to be shared with the victim:

1. If a DNA profile of an assailant was obtained during the processing of evidence
2. If a DNA profile of an assailant has been entered into a data bank used for the retention or comparison of case evidence
3. If there is a match between the DNA profile of an assailant and another DNA profile in any data bank used for the retention or comparison of case evidence
4. If sexual assault evidence is submitted to a forensic laboratory, if that evidence is compared against any data bank, and the results of the comparison

At the request of the victim, the law enforcement agency responsible for the sexual assault investigation must provide updates on the status of all evidence collected. Another individual may be designated by the victim to receive the same information regarding any advancements in the case.

Victims of sexual assault have historically been intimidated, discredited, and shamed upon sharing their stories. This kind of response can often discourage a victim from proceeding with an investigation, thus diminishing their rights and protections within the system. Today's legislation aims to address this concern by affording victims additional rights to information pertaining to their cases, creating a process that allows for vulnerability and incentivizing more sexual assault victims to come forward and seek justice.

"Having access to information related to their cases can help survivors of sexual violence in their healing journeys," **said Patricia Teffenhart, Executive Director of the Division of Violence Intervention and Victim Assistance.** "By enacting this legislation, Governor Murphy and the Legislature are once again raising New Jersey's standard in putting survivors at the center of our justice-seeking efforts."

The primary sponsors of S1017/A3748 are Senators Linda Greenstein and Declan O'Scanlon, and Assemblywomen Carol Murphy, Michele Matsikoudis, and Verlina Reynolds-Jackson.

"Victims of sexual violence deserve to be kept up-to-date and aware of all major developments in the investigation of their case, both for their peace of mind and for their safety," **said Senator Linda Greenstein, Chair of the Senate Law and Public Safety Committee.** "The enactment of this legislation will help ensure that they have access to these rights, and assist police departments with having clarity as to the extent of their obligation to share this information with victims."

"This crucial legislation guarantees that survivors of sexual assault are updated with necessary information throughout the legal process of their case," **said Senator Declan O'Scanlon.** "With this law in place, we are empowering survivors and ensuring that our criminal justice system is more responsive to their needs."

"Research shows that when survivors of sexual assault are kept informed about their cases, it can be a vital part of their healing journey," **said Assemblywoman Carol Murphy.** "This bill is designed to rebuild trust and ensure that survivors are fully informed and supported after enduring the difficult process of examinations and recounting their experiences."

"When a sexual assault survivor bravely chooses to come forward, report the crime, and have an evidence kit administered, our state has a duty to provide that survivor with clear updates on the handling of DNA evidence from their case every step of the way. Increasing communication between law enforcement and victims of these crimes helps ensure that justice is served and rightfully places power back into the hands of survivors. I am proud to see New Jersey take this important step and grateful for all those who have bravely advocated for getting us here," **said Assemblywoman Michele Matsikoudis.**

"Every piece of evidence in a sexual assault case holds immense weight for the survivor, who deserves to be informed about the status of the case," **said Assemblywoman Verlina Reynolds-Jackson.** "Effective communication between law enforcement and victims empowers the survivors, gives them support through the legal process, and reinforces our commitment to transparency."

"The New Jersey Coalition Against Sexual Assault (NJCASA) thanks Governor Murphy and the sponsors of Bill A3748/S1017, which enhances the Sexual Assault Victim's Bill of Rights (SAVBR)," **said Denise Rodriguez, Co-Director of the New Jersey Coalition Against Sexual Assault.** "This bill represents an advancement in the protection and empowerment of survivors of sexual assault by ensuring they are kept informed about key developments in their cases. By providing survivors with timely and detailed updates, the bill not only respects their right to be informed but also supports their engagement in the legal process. Additionally, allowing survivors to designate a trusted person to receive this information further acknowledges the diverse needs and circumstances of each individual. This provision is a vital step toward ensuring that survivors can access necessary updates in a manner that is both manageable and respectful of their personal situations and preferences. The bill's focus on clarity and transparency in communication between law enforcement and survivors underscores a commitment to enhancing the survivor experience within the criminal legal system and is respectful of the healing process. Overall, Bill A3748/S1017 is a meaningful and necessary update to the SAVBR, reinforcing our collective commitment to upholding the rights of survivors. We

commend the passage of this bill and hope all survivors receive the comprehensive support and information they deserve.”

“NJCEDV joins NJCASA in thanking Governor Murphy, Senator Greenstein, and Assemblywoman Murphy for the passing of A-3748/S-1017 which expands the rights of sexual assault survivors,” **said Adrienne Gantz, Co-Executive Director for the New Jersey Coalition to End Domestic Violence.** “With this expansion of the Sexual Assault Victim's Bill of Rights, survivors have greater control over their information and will be better informed about their case. Providing this kind of transparency is central to empowering victims, which is an important step toward healing.”