

**Crime Victims' Bill of Rights
N.J.S. 52:4B-36**

The Legislature finds and declares that crime victims and witnesses are entitled to the following rights:

- a. To be treated with dignity and compassion by the criminal justice system;
- b. To be informed about the criminal justice process;
- c. To be free from intimidation, harassment or abuse by any person, including the defendant or any other person acting in support of or on behalf of the defendant, due to the involvement of the victim or witness in the criminal justice process;
- d. To have inconveniences associated with participation in the criminal justice process minimized to the fullest extent possible;
- e. To make at least one telephone call provided the call is reasonable in both length and location called;
- f. To medical assistance reasonably related to the incident in accordance with the provisions of the "Criminal Injuries Compensation Act of 1971," P.L. 1971, c. 317 (N.J.S.A. § 52:4B-1 et seq.);
- g. To be notified in a timely manner, if practicable, if presence in court is not needed or if any scheduled court proceeding has been adjourned or cancelled;
- h. To be informed about available remedies, financial assistance and social services;
- i. To be compensated for loss sustained by the victim whenever possible;
- j. To be provided a secure, but not necessarily separate, waiting area during court proceedings;
- k. To be advised of case progress and final disposition and to confer with the prosecutor's representative so that the victim may be kept adequately informed;
- l. To the prompt return of property when no longer needed as evidence;
- m. To submit a written statement, within a reasonable amount of time, about the impact of the crime to a representative of the prosecuting agency

which shall be considered prior to the prosecutor's final decision concerning whether formal criminal charges will be filed, whether the prosecutor will consent to a request by the defendant to enter into a pre-trial program, and whether the prosecutor will make or agree to a negotiated plea;

n. To make, prior to sentencing, an in-person statement directly to the sentencing court concerning the impact of the crime. *This statement is to be made in addition to the statement permitted for inclusion in the presentence report by N.J.S.A. § 2C:44-6;*

o. To have the opportunity to consult with the prosecuting authority prior to the conclusion of any plea negotiations, and to have the prosecutor advise the court of the consultation and the victim's position regarding the plea agreement, provided however that nothing herein shall be construed to alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate;

p. To be present at any judicial proceeding involving a crime or any juvenile proceeding involving a criminal offense, except as otherwise provided by Article I, paragraph 22 of the New Jersey Constitution;

q. To be notified of any release or escape of the defendant; and

r. To appear in any court before which a proceeding implicating the rights of the victim is being held, with standing to file a motion or present argument on a motion filed to enforce any right conferred herein or by Article I, paragraph 22 of the New Jersey Constitution, and to receive an adjudicative decision by the court on any such motion.

The Middlesex County Prosecutor's Office does not discriminate on the basis of race, color, national origin, religion, sex, disability, age, sexual orientation and gender identity.

Middlesex County Information for Sexual Assault Response



Middlesex County Prosecutor's Office
Special Victims Unit
25 Kirkpatrick Street, 3rd Floor
New Brunswick, NJ 08901
732-745-3600

**Middlesex County Prosecutor's Office
Victim Witness Unit
732-745-3394**

The Middlesex County Prosecutor's Office Victim Witness Unit is available to ensure victims understand their rights and to help navigate the resources available to them. They can help provide referrals for counseling and assistance in filing an application with the Victims of Crime Compensation Office (VCCO).

All victims of sexual assault in Middlesex County are entitled to services regardless of whether their case results in criminal charges. These services include assistance with obtaining medical and psychological treatment.

A representative from the Middlesex County Prosecutor's Office Special Victims Unit (SVU) will notify a victim if their case does or does not result in criminal charges. The victim will have an opportunity to discuss their case with an Assistant Prosecutor. If charges are filed, victims will be notified of any pending court dates related to their case.

If the offender is formally charged, indicted, convicted, or adjudicated as a delinquent, the victim has the right to obtain a court order requiring the defendant to submit to an approved serological test for HIV or Acquired Immune Deficiency Syndrome (AIDS).

**Victims of Crime Compensation Office
1-877-658-2221
www.njvictims.org**

**NJ Coalition Against Sexual Assault
(NJCASA)
24-Hour Hotline: 1-800-601-7200**

**Division of Child Protection and Permanency
(DCPP)
1-887-652-2873**

FORENSIC EXAM

SART: Any victim 13 years old or older who reports a sexual assault within 5 days of an incident may seek the assistance of a **Sexual Assault Response Team (SART)**. Each SART consists of a **Confidential Sexual Violence Advocate (CSVA)**, a **Forensic Nurse Examiner (FNE)**, and a **Law Enforcement Officer**.

The **CSVA** is a trained volunteer who provides emotional support to the victim and can accompany them throughout all aspects of the investigation. **All victims are entitled to a CSVA even in situations where SART is not activated.** The Forensic Nurse Examiners are specially trained in the collection of evidence in sexual assaults.

**To activate an FNE please call
732-745-3271 or your local police department.**

**To activate a CSVA please call the Middlesex
County Center for Empowerment (MCCE)
24-Hour Hotline at 1-877-665-7273**

The MCCE offers free counseling for individuals age 13 and older who have been sexually abused or assaulted. They also offer a CSVA.

**Women Aware, Inc.
732-249-4504
24-Hour Hotline**

Women Aware's comprehensive programs provide support across the spectrum of client needs, from emergency crisis intervention to long-term efforts toward independent living. They offer services including a 24-hour hotline, emergency shelter, legal advocacy, community education, support groups, and children's programs. All services are free and confidential. Services are available to all persons regardless of race, ethnicity, age, gender, religion, disability, sexual orientation, gender expression, national origin, marital status, and military status.

PROTECTIVE ORDERS

In certain situations, a protective order may be applied for, which would prevent contact with a perpetrator. A victim may be eligible for one of the following:

1. Domestic Violence Restraining Order: Court ordered to protect victims of domestic violence from their abusers. It is first issued as a temporary restraining order (TRO). A victim can request a TRO at the Family Court or with a local police department. After a TRO is issued, the Court will schedule a hearing to determine if the restraining order will be finalized.

2. Sexual Offense Restraining Order (SORO): under Nicole's Law, is issued by the Court and prohibits a defendant charged with or convicted of a sex offense from having any contact with a victim, including restraining the defendant from the victim's residence, place of employment, or school. There does not need to be a domestic relationship between the defendant and the victim.

3. Sexual Assault Survivor Protection Act (SASPA): provides an opportunity for any person who alleges that they were a victim of nonconsensual sexual contact, sexual penetration and lewdness, or any attempt at such conduct, to apply for protection. A victim of a sexual offense does not have to report the crime to the police. A victim can apply at the Family Court, where a temporary protective order (TPO) may be issued. Approximately 10 days after a TPO is issued, the court will schedule a hearing to determine if the protective order will be finalized.

4. No Victim Contact with a Criminal Case: A "no contact order" is related to criminal charges and is typically a condition of a defendant's pre-trial release. The no contact order is separate and distinct from any civil restraining order that may or may not have been filed. If a defendant violates the no contact order their pre-trial release can be revoked, and the defendant can be held in contempt of court.