

Know Your Rights as a Sexual Assault Survivor, §595.201

https://www.prosecutors.mo.gov/files/Know%20Your%20Rights%208_25_20.pdf

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The State of Missouri wants to protect survivors of sexual assault. In addition to the Crime Victims' Rights afforded under *Missouri Constitution, Section 1, Article 32 and §595.209*, you, as a sexual assault survivor, have the right to:

1. Reasonable protection from the defendant and persons acting on behalf of the defendant.
2. Be free from intimidation, harassment and abuse.
3. Contact a confidential victim advocate at _____.
4. Consult with a confidential victim advocate before any forensic sexual assault examination or interview if one is available in a reasonably timely manner. If no advocate is available, you also have the right to know what it means to delay your examination or interview.
5. A forensic sexual assault examination at no cost to you (for the examination itself).
6. Shower after the examination at no cost to you.
7. Have the support person of your choice present during the sexual assault examination and interviews (unless that person is determined by the interviewer to be harmful to the interview).
8. Have your own lawyer present with you when you are being interviewed or participating in the court process.
9. Be interviewed by a law enforcement officer of the gender of your choice, if a law enforcement officer of that gender is available.
10. Be informed of the civil and criminal justice process, including the process by which you may obtain an order of protection.
11. Have the results of your forensic sexual assault examination tested in a reasonably timely manner.
12. Be informed of the laboratory analysis of the results of your forensic sexual assault examination in a confidential manner. (*State system not yet available*)
13. Be informed as to how to access the laboratory analysis of the results of your forensic sexual assault examination. (*State system not yet available*)
14. Be informed of the possibility of compensation through the Crime Victim's Compensation Fund and/or restitution ordered through the justice process.
15. Be heard through a victim impact statement post-arrest release decision (also known as bond or detention hearings), plea, sentencing, post-conviction release decision, or any other proceeding where your rights are at issue.

In addition to the above-mentioned rights, §595.201 also says that:

1. No law enforcement officer or prosecutor may discourage you from having a forensic sexual assault examination performed.

2. No evidence collected from your forensic sexual assault examination may be used to prosecute you for misdemeanors or misdemeanor drug offenses under Chapter 579 of the Missouri Revised Statutes.
3. No law enforcement officer or prosecutor may refuse to offer you the rights described here because you have declined to seek a forensic sexual assault examination or participate in the criminal justice process.
4. No law enforcement officer or prosecutor may require you to undergo a polygraph examination before proceeding with an investigation or the filing of criminal charges.

You also have a right to request in writing:

- 1) A complete, unaltered copy of the police report within 14 days of your request.
- 2) Timely notice of outcome of the case.
- 3) Timely notice of the offender's location upon conviction of a sex offense.
- 4) Timely notice of the sex offender registry information.

I received a copy of the above Survivors' Bill of Rights on this date _____.

Signature