



The Sexual Assault Victims' Rights Amendment Act of 2017 (SAVRAA) Summary Sheet

The Sexual Assault Victims' Rights Amendment Act of 2017 (SAVRAA) was introduced in Council of the District of Columbia on April 3, 2017, and is now being considered in the Committee on the Judiciary. This legislation is the second phase of reforms made by the District of Columbia in 2014 to empower survivors of sexual assault and create a victim-centered system of care for all District residents who have experienced sexual assault.

The Sexual Assault Victims Rights Amendment Act of 2017 would give **all** survivors of sexual assault, ages 12 and older, who report to law enforcement the right to:

- ❖ A confidential, community-based advocate in any in-person interview with law enforcement;
- ❖ A confidential, community-based advocate in any in-person interview with prosecutors; and
- ❖ Information in person, by telephone, or in writing from prosecutors about the reason a warrant or pre-petition custody order was declined, or why their case otherwise will not proceed to prosecution.

For teenagers, ages 12 to 17, who have experienced sexual assault at the hands of an acquaintance, a friend, a romantic partner or a stranger who is less than four years older than the survivor, this bill creates:

- ❖ A right to a confidential, community-based advocate upon initially either reporting to law enforcement, getting a medical and forensic exam at a hospital, or contacting a newly created hotline for teenagers in the District. The advocate can support that teenager in reaching out to a trusted adult, support them in the process of obtaining other services as needed, and help them report to law enforcement if they so desire.
- ❖ A right to a confidential community-based advocate at all law enforcement interviews as well as all meetings with a prosecutor after the initial report.
- ❖ An exemption from the District's mandatory reporting requirement for the confidential, community-based advocate unless the victim is under age 12, assaulted by someone with a significant relationship to the victim as defined by District law, or the perpetrator or alleged perpetrator is more than four years older than the victim. This provision protects communication with a victim advocate as confidential unless authorized by the victim.

The bill also expands the rights given to survivors to access and store information related to their cases' Physical Evidence Recovery Kit (PERK), commonly known as a rape kit.

- ❖ MPD must inform the victim that s/he has a right to request information about the status of the PERK, the results of the PERK or any other forensic testing or toxicology reports.



- ❖ PERKs must be stored free of charge for the duration of the statute of limitations of the case.
- ❖ Sexual assault victims can request that MPD notify them 60 days prior to their intention to destroy or dispose of a PERK before the statute of limitations has expired.
- ❖ Victims also have a right to request extended preservation of that kit or its contents.

Other important changes included in the legislation are:

- ❖ A modification of the Victims of Violent Crime Compensation Act to allow victims of sexual assault to receive compensation from the Crime Victim's Compensation Fund without first processing an insurance policy claim;
- ❖ A requirement that all District hospitals that provide emergency care provide information to survivors about their rights under this law, refer them appropriately to the DC SANE Program for immediate care and transfer them if needed, as well as testing and treatment for STIs, and emergency contraception if requested;
- ❖ An amendment to the DC criminal law that makes it unlawful to remove someone's clothing covering parts that would constitute intimate parts under the District's sexual abuse statutes except to provide medical or lifesaving care to the person; or by a parent, guardian or caretaker in the normal course of their responsibilities to the person in question;
- ❖ The establishment of a Feedback Review Committee on the Sexual Assault Response Team (SART) to investigate complaints from sexual assault survivors;
- ❖ A requirement that the SART report annually to the Council and the Mayor regarding investigations and the results from the Feedback Review Committee, a summary of case review activities, MPD's activities around providing PERK results, as well as activities planned for the upcoming year; and
- ❖ A requirement that MPD include in their annual report the number of victims informed by MPD and the number declining to be informed about the results of their PERK.

*This summary was compiled by Elisabeth Olds, SAVRAA Independent Expert Consultant.