

Sexual Assault Victims' Rights in DC



Victims of sexual assault in the District of Columbia have rights and options, including the choice to:

- Receive a free medical forensic exam
- Report the assault to law enforcement

For victims 13 years and older who choose to report their assault, the Metropolitan Police Department (MPD) has certain duties of care. These duties include:

1. Connecting you with a **victim advocate**,
2. Notifying you of medical forensic **test status/results**,
3. Informing you of MPD **communication with a suspect**.

If you do **NOT** wish the MPD to carry out any of these responsibilities, you may inform them of that preference in writing at any time.

1

Connecting with a Victim Advocate

As a victim of sexual assault, you have the right to have a confidential, community-based victim advocate present in:

- any interview with the Metropolitan Police Department,
- any interview with any other District agency that is related to the assault you are reporting, AND
- any forensic medical, evidentiary, or physical exam, or any other part of the hospital visit (except where the advocate's presence might pose a danger to you or the advocate).

If you wish to speak with an advocate, MPD can contact one on your behalf **immediately**. Until you've had an opportunity to connect with your advocate and have them present for the interview, the police may only ask you minimal questions.

You may verbally decline an advocate. Even if you decline an advocate initially, you may later request one at any point.

Community-based advocates **do not** work for the police department, the prosecutor's office, or any other government agency: You have the right to **confidential** communication with your community-based advocate.



Questions about
any information
in this card?

Please ask to speak
with an advocate.

2

Notification About Medical Tests & Results

MPD must notify sexual assault victims about the availability, status, and results of related medical forensic tests. Specifically:

- MPD must notify you within 15 business days of a material change in the status of any medical forensic examination, Physical Evidence Recovery Kit (PERK), or toxicology test related to your case.
- MPD must notify you within 15 business days of any available PERK testing results, DNA testing results, toxicology reports, or other information collected as part of a medical forensic examination in your case. (However, in cases with an open investigation or active prosecution, MPD is not required to reveal the names of suspects who may have been identified by DNA or similar testing.)
- MPD must notify you in writing at least 60 days prior to the destruction of your PERK. Your PERK will be stored by MPD for **65 years** before it is destroyed.
- MPD must provide you with a written copy of policies regarding PERK preservation upon your request.

Either your advocate or a Sexual Assault Nurse Examiner (SANE) can provide additional information on testing requirements and timelines for any evidence or sample collected in a medical forensic exam.

3

Communicating with a Suspect

MPD must make reasonable attempts to notify you of their intent to contact a suspect in your case **prior** to them doing so. If MPD cannot reach you beforehand, they are required to notify you as soon as is reasonably possible after communicating with the suspect.

You may request in writing to the MPD that they not perform these duties.

- An advocate can assist you with your request.
- You may change your preferences at any time.

Resources

DC Victim Hotline

844-4HELP-DC (844-443-5732) | www.dcvictim.org

Provides free, confidential information and support for crime victims 24/7 by phone, text, or chat.

Crime Victims Compensation

202-879-4216 | www.dccourts.gov/services/crime-victims-compensation-matters

Helps reimburse victims for counseling, loss of income, relocation, medical and dental bills, and other costs related to the assault.