



# PLEASE SUPPORT HB705, a comprehensive bill to address the crimes of domestic and sexual violence in New Hampshire

## What is House Bill 705?

The provisions in this bill were already essential prior to the pandemic, but it is now more important than ever to strengthen support systems and address the needs of crime victims.

### This comprehensive bill includes the following provisions:

1. Prohibits the sale of so called "Do It Yourself" rape test kits in New Hampshire
2. Eliminates the civil statute of limitations in sexual assault cases
3. Updates the New Hampshire statutory victim's bill of rights
4. Removes exceptions that allow married couples to sexually assault their spouse.
5. Strengthens support and resources for survivors of campus-based sexual assault

## Prohibiting so called "Do It Yourself" Rape Test Kits

In recent years a number of for-profit companies have emerged to offer so called "Do It Yourself" (DIY) rape test kits. However, these [over-the-counter rape test kits](#) are extremely harmful and create more problems than solutions. It is unconscionable that companies are taking advantage of this national emergency to create barriers to critical medical care by promoting incorrect misleading, and potentially harmful information.

### Concerns for "Do It Yourself" rape test kits are extensive, and include:

- These kits are in no way a safe or medically comprehensive solution to addressing the very real medical needs of a victim, who has just experienced of sexual assault.
- DIY kits are falsely marketed as an easy way to collect "evidence" when no reason exists to believe the "evidence" collected would be admissible in a court of law.
- Prohibition ensures that New Hampshire remains aligned with best practices in the field.
- Medical professionals and law enforcement across the U.S. support banning DIY kits
- Victims of sexual assault have the ability to seek professional medical attention and accurate evidence collection free of charge.

## Marriage does not make sexual assault okay

This bill moves to amend some sexual offenses, under RSA 632-A, and would no longer exempt legally married spouses from the law. Under the current statute, minors and individuals with disabilities who are married do not have the same protections under the law as someone who is single or in a dating relationship, and the experiences of sexual assault within a marriage would not constitute a crime. It is time to close these necessary loopholes.

## Eliminating the civil statutes of limitations in sexual assault cases

Due to the traumatic nature of sexual assault, it can take survivors years to come forward. In fact, the average age for disclosure is 52. The right to justice should never expire.

### Current civil Statute of Limitations for sexual assault cases in New Hampshire

- Under the current law, survivors of child sexual assault only have **until the age of 30** to bring forth a civil claim, while adult survivors of sexual abuse **only have three years**.
- The passage of HB705 would repeal the arbitrary civil timeline, and ensure that those who experienced abuse have the right to bring forward the act of an abuser at any time.
- Short statutes of limitations for child sex abuse cases have kept victims from reporting serial sexual child predators. It's time we stop restricting victims from coming forward.

## It's time to Update the New Hampshire Statutory victim's bill of rights

This bill outlines several important provisions that would update the statutory rights of crime victims in New Hampshire. These include:

- **Increasing the maximum recovery per claimant per incident to \$40,000.** Claims reimburse a variety of expenses that victims may incur in response to sexual violence, including medical, counseling, rehabilitative, and lost wages directly resulting from the crime.
- **Providing statutory rights** to the victims of a misdemeanor sexual assault
- **Establishing a committee** on the needs of crime victims

## Strengthening support and resources for victims of campus-based sexual assault

New Hampshire a unique opportunity to be a national leader in protecting survivors of campus-based assault. This legislation is more important than ever to protect victims despite Secretary DeVos' harmful Title IX guidelines that become active in August. **This legislation codifies laws that address sexual assault on college campuses, and proposes to:**

- Offer confidential advising services to victims of sexual assault
- Collect data on sexual violence prevalence on college campuses, to improve policies
- Increase evidence-based training on prevention and response for students & staff.
- Establishes MOUs between universities and rape crisis centers

## Prevalence of Sexual Assault

- 23% of New Hampshire women have been the victim of a sexual assault, and 41% of assaults are reported before the age of 18. Nearly 90% of assaults were perpetrated by someone they knew.
- 4.9% of men in New Hampshire have been sexually assaulted, and 83% of assaults occurred before the age of 25; 50% of men said the assault was reported before the age of 12.
- Nationally, 11.2% of all college students experience rape or sexual assault through physical force, violence, or incapacitation