



# LB 1246 : New Nebraska Law Provides Survivors of Sexual Violence with Anonymity

**Legislative Bill 1246 was passed during the 2022 Nebraska legislative session and its provisions will be in effect starting July 20, 2022.** This document summarizes the expansion of confidentiality for survivors of sexual assault and sex trafficking on public record.

## WHAT'S NEW

**Identifying information of sexual assault and sex trafficking victims will be kept confidential in public records by all criminal justice and legal entities before charges are filed, for example in incident reports.**

Records such as these are available to anybody and have previously included the victim's name and other identifying information. Public identifying information may put survivors at risk of being contacted by outside parties who access these reports and could compromise safety if accessed by perpetrators.

Exceptions to confidentiality happen when a victim chooses to waive confidentiality, for example if they choose to share their identifying information with media outlets or other outside parties. Confidentiality of identifying information is also waived for investigative and victim advocacy agencies in situations where it is necessary to share such information to fully complete job duties and provide services to victims. The intent is not to hinder the investigative process or service provision for victims, but to protect victims and the integrity of the processes in place to support them and hold offenders accountable.

## HOW IT WORKS

**This bill does not maintain confidentiality for survivors throughout the entire criminal legal process, it only ensures confidentiality prior to charges being filed.** This is not an insignificant amount of time as these investigations can be lengthy. Also, survivors may feel especially vulnerable immediately after choosing to report to law enforcement and confidentiality at this moment in time can provide peace of mind.

**When deciding whether to make a full report, it is important for victims to remember that identifying information may be available to the public if charges are filed.** In some cases, criminal charges may never be filed, even if the survivor would like the perpetrator to be charged. Keeping these things in mind, each survivor needs to decide for themselves whether they would like to report, and if so how.



**There are several options for reporting.**

Please visit [www.SexualAssaultHelp.org](http://www.SexualAssaultHelp.org) for more information on the different ways survivors of sexual assault may report.

**The anonymity provided by LB 1246 applies to instances when full reports are made to law enforcement.**

Partial reports and reports to sexual assault nurse examiners already maintain the anonymity of survivors.

LB 1246 aligns with the Women's Fund values of: **Bodily Autonomy, Community Voice and Equity.**

To learn more about our mission, vision and values, visit [www.OmahaWomensFund.org](http://www.OmahaWomensFund.org).

