Sexual Consent in New Jersey

What is Sexual Consent?

MUTUAL - All agree and feel comfortable

CHOICE - All are aware and want to engage in sexual activity

COMMUNICATED - Actively and thoroughly discussed by all participants

INFORMED - Risks are discussed and understood, and participants feel safe

WITHOUT FEAR - There is no pressure, threats, coercion, bargaining, or manipulation

Consent is Needed for:

EVERY TIME you engage in sexual activity **SPECIFIC** sexual activity, for each sexual act **INCREASED** sexual activity/changes in sexual activity

RECURRING sexual activity, any time, even if consent was previously given

Consent can be withdrawn at any time for any reason

NJ law says it is illegal to engage in sex in the following scenarios:

- If someone engages in sexual activity with a person who is **under the age of 13**
- If someone is **4+ years older** than anyone who is **13** or older and under the age of **16** (between 13-15 years old)
- If someone is having sex with someone **under 18 years old** in exchange for **anything of value** (money, shelter, clothes, etc.)
- If someone who has **authority over** or the **duty to care** for someone **under 18 years old** and engages in sexual activity with that person (a family member, someone in a supervisory role, teacher, coach, police officer, religious leader, group home staff, etc.)

Sexual Violence: Any form of unwanted, unwelcome or coercive sexual behavior. Includes but is not limited to: sexual harassment, stalking or cyber-stalking, inappropriate touching, lewdness, or penetration without consent.

- If someone **knows or should know** that a person of **any age** is:
 - Physically, intellectually or mentally incapacitated due to drugs or alcohol
 - Unconscious or sleeping
 - Incapable of providing consent due to a lack of understanding from an intellectual/cognitive/mental disability or psychological disorder
 - Developmentally disabled, they cannot consent to anyone who has authority over them or to a governmental caregiver
 - Physically forced, coerced, manipulated, threatened or intimidated

Sexual Assault: The penetration, no matter how slight, in which physical force or coercion is used or in which the victim is physically or mentally incapacitated.

Sexual Consent is the presence of an enthusiastic, communicated, mutual agreement between participants who are of age, of equal power, and able to freely make a choice without pressure.

Questions about Consent?

Call the Statewide 24-Hour Sexual Violence Hotline: 1-800-601-7200



Steps of Consent

Direct Communication is the best way to know whether someone else is comfortable.

Stating Your

SAY:

I am deserving of relationships that are healthy, consensual and respectful of my boundaries.

I am open to talking about consent.

I have the right to be safe and respected.

I have the right to change my mind at anytime.

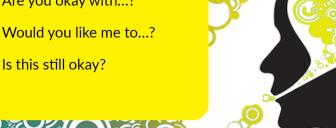
ASK:

Is it ok to ...?

Can I...?

Are you okay with...?

Would you like me to ...?





When You Have Obtained Consent

RESPONSE:

Yes! I'm readv Let's do it! Oh yeah!

I'm okay with... Sounds good!

Sure! I want to...

I'm comfortable with... Let's go!

When You Have Not Obtained Consent **RESPONSE:**

Silence I'm not sure

Uhmm... Stop

No I'd rather not

I don't feel comfortable Not now I don't want to anymore I don't know

Respect one another's boundaries and comfort levels. **STEP**

Check in by communicating before and during any and **STEP** all types of sexual activity, every time.

> For more information on communicating consent, check out videos here: www.preventchildabusenj.org/sexual-consent