

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Consent can be withdrawn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

In NJ, Sexual Consent cannot be given in the following scenarios:

1 If someone is **under the age of 13**

2 If someone is **under the age of 16**, they cannot consent to sexual activity with anyone over 4 years older than them

3 If someone is **under 18 years** old and having sex in exchange for anything of value (money, shelter, clothes, etc.)

4 If someone is **under 18 years** old and they are engaging in sexual activity with anyone who has authority over them or has the duty to care for them (a family member, someone in a supervisory role, teacher, coach, police officer, religious leader, group home staff, etc.)

5 **At any age when a person is:**

☀ Physically or mentally impaired due to drugs or alcohol

☀ Unconscious or sleeping

☀ Incapable of providing consent due to an impairment from an intellectual or cognitive disability

☀ Developmentally disabled, they cannot consent to anyone who has authority over them or to a governmental caregiver

☀ Pressured, afraid, coerced, manipulated, threatened, or intimidated

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.

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.



Consideration. Communication. Consent.