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Press Release



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Governor Hassan Calls Supreme Court's Ruling on Rape Shield Law Potentially Devastating to Victims, Their Families and to Justice

Governor Pleased Supreme Court Agreed to Stay Ruling and Allow Full Briefing of Legal Issue

CONCORD - While saying she was pleased with the Supreme Court's decision to grant the Attorney General's request to stay its ruling and grant full briefing on the legal issue, Governor Hassan today warned that the Supreme Court's ruling on the rape shield law could be "potentially devastating" to victims, their families and to the pursuit of justice.

"New Hampshire law has long recognized that rape victims have a fundamental right to privacy about their personal sexual history, and protecting that right is essential to ensuring victims' access to justice," Governor Hassan said. "The Supreme Court's ruling would allow convicted rapists to force the public disclosure of a victim's personal information by filing an appeal.

"That change from long-standing New Hampshire law and precedent would have a potentially devastating impact on victims and their families, and potentially the willingness of future victims to come forward and pursue justice. I am pleased the Supreme Court has granted the Attorney General's request to stay its ruling and the Court's recognition that an issue of this magnitude requires full legal briefing," Governor Hassan said.

Under the Supreme Court ruling, information about a victim's personal history that a trial judge had determined could not be admitted at trial, could be made public if the assailant appeals that issue after conviction. The illogical result of the Court's decision would be that it allows a victim's personal sexual history to be made public even before the Supreme Court rules on whether such information should have been admissible as evidence at trial.

"My heart goes out to the Marriott family, who has already endured a loss beyond comprehension," Governor Hassan said. "I am pleased the Supreme Court has agreed to stay its ruling and allow for a full briefing on reconsideration. I hope they will ultimately reconsider and overturn their decision. If not, I am fully prepared to work in partnership with the legislature to ensure that we uphold the intent and spirit of New Hampshire's rape shield law."

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