

TECHNICAL REVIEW OF BILL:	Yes	APS 6/3/24 TR
COMMITTEE STATEMENT:	ASSEMBLY:	Yes Public Safety & Preparedness Appropriations
	SENATE:	No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	Yes
VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
LEGISLATOR STATEMENT:	Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	Yes

Dana DiFilippo; newjerseymonitor.com, 'New law requires rape kit tracking Statewide tracking of rape kits now required by law in New Jersey', *Press of Atlantic City, The* (online), 25 Jan 2025 9A: <https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/19E5325DB93D5200>

Jackie Roman - For The Star-Ledger, 'Rape kit legislation seen as boosting accountability, transparency', *Star-Ledger, The* (online), 23 Jan 2025 005 <<https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/19E484845B958600>>

CL/MMcB

P.L. 2025, CHAPTER 1, *approved January 23, 2025*
Senate, No. 715

1 AN ACT concerning sexual assault forensic evidence kits and
2 supplementing Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The Attorney General shall establish a Statewide sexual
8 assault forensic evidence kit tracking system. The Attorney
9 General shall issue guidelines or a directive establishing the system.

10 b. As used in this section, “sexual assault forensic evidence kit
11 tracking system” means an Internet-based system that allows a
12 person, including a victim; a State, county, or municipal law
13 enforcement officer; an employee of a healthcare facility or
14 laboratory, as deemed appropriate by the Attorney General; and any
15 other person, as deemed appropriate by the Attorney General, to
16 track a sexual assault forensic evidence kit through the chain of
17 custody from the time of collection at a healthcare facility to the
18 transfer to a local law enforcement agency, submission to an
19 appropriate laboratory for processing and testing, and final
20 disposition.

21
22 2. This act shall take effect on the first day of the seventh
23 month after enactment, but the Attorney General may take any
24 administrative action in advance as shall be necessary to implement
25 the provisions of this act.

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Requires AG to establish rape kit tracking system.

CHAPTER 1

AN ACT concerning sexual assault forensic evidence kits and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:17B-245.1 Sexual assault forensic evidence kit tracking system established.

1. a. The Attorney General shall establish a Statewide sexual assault forensic evidence kit tracking system. The Attorney General shall issue guidelines or a directive establishing the system.

b. As used in this section, “sexual assault forensic evidence kit tracking system” means an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to an appropriate laboratory for processing and testing, and final disposition.

2. This act shall take effect on the first day of the seventh month after enactment, but the Attorney General may take any administrative action in advance as shall be necessary to implement the provisions of this act.

Approved January 23, 2025.

SENATE, No. 715

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator RENEE C. BURGESS

District 28 (Essex and Union)

SYNOPSIS

Requires AG to establish rape kit tracking system.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S715 BURGESS

2

1 AN ACT concerning sexual assault forensic evidence kits and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Attorney General shall establish a Statewide sexual
8 assault forensic evidence kit tracking system. The Attorney
9 General shall issue guidelines or a directive establishing the system.

10 b. As used in this section, “sexual assault forensic evidence kit
11 tracking system” means an Internet-based system that allows a
12 person, including a victim; a State, county, or municipal law
13 enforcement officer; an employee of a healthcare facility or
14 laboratory, as deemed appropriate by the Attorney General; and any
15 other person, as deemed appropriate by the Attorney General, to
16 track a sexual assault forensic evidence kit through the chain of
17 custody from the time of collection at a healthcare facility to the
18 transfer to a local law enforcement agency, submission to an
19 appropriate laboratory for processing and testing, and final
20 disposition.

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22 2. This act shall take effect on the first day of the seventh
23 month after enactment, but the Attorney General may take any
24 administrative action in advance as shall be necessary to implement
25 the provisions of this act.

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28

STATEMENT

29

30 This bill requires the Attorney General to establish a sexual
31 assault forensic evidence (SAFE) kit, commonly referred to as a
32 rape kit, tracking system.

33 Under the bill, the Attorney General is to issue guidelines or a
34 directive establishing the system.

35 The bill defines a “sexual assault forensic evidence kit tracking
36 system” as an Internet-based system that allows a person, including
37 a victim; a State, county, or municipal law enforcement officer; an
38 employee of a healthcare facility or laboratory, as deemed
39 appropriate by the Attorney General; and any other person, as
40 deemed appropriate by the Attorney General, to track a sexual
41 assault forensic evidence kit through the chain of custody from the
42 time of collection at a healthcare facility to the transfer to a local
43 law enforcement agency, submission to a laboratory, and final
44 disposition.

SENATE, No. 715

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator RENEE C. BURGESS

District 28 (Essex and Union)

Senator PAUL D. MORIARTY

District 4 (Atlantic, Camden and Gloucester)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman MICHELE MATSIKODIS

District 21 (Middlesex, Morris, Somerset and Union)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

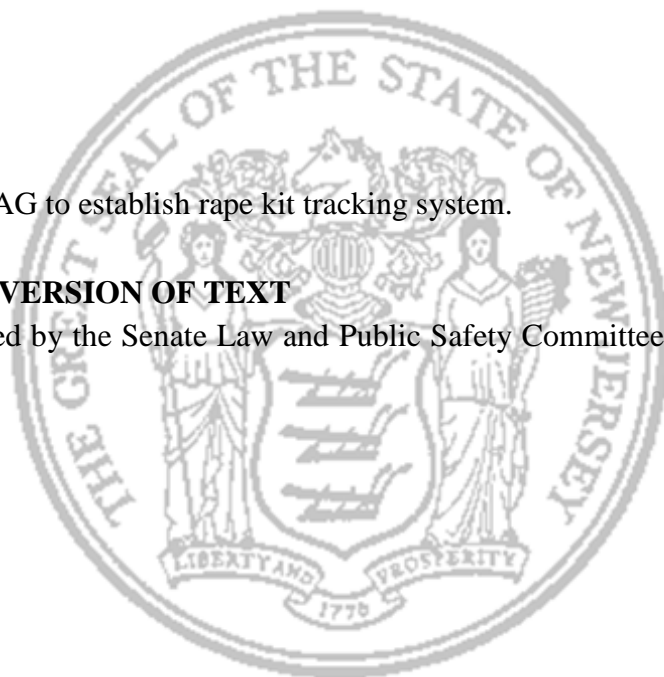
Senators O'Scanlon, McKnight, Gopal, McKeon, Ruiz, Timberlake, Assemblyman Stanley, Assemblywomen Dunn, Katz, Assemblymen Bailey, Hutchison, Miller, Assemblywomen Murphy, Donlon, Peterpaul, Ramirez, Haider, Assemblyman Freiman, Assemblywomen Drulis, Flynn, Speight, Swain, Assemblymen Tully and Karabinchak

SYNOPSIS

Requires AG to establish rape kit tracking system.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee with technical review.



(Sponsorship Updated As Of: 12/19/2024)

S715 BURGESS, MORIARTY

2

1 AN ACT concerning sexual assault forensic evidence kits and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Attorney General shall establish a Statewide sexual
8 assault forensic evidence kit tracking system. The Attorney
9 General shall issue guidelines or a directive establishing the system.

10 b. As used in this section, “sexual assault forensic evidence kit
11 tracking system” means an Internet-based system that allows a
12 person, including a victim; a State, county, or municipal law
13 enforcement officer; an employee of a healthcare facility or
14 laboratory, as deemed appropriate by the Attorney General; and any
15 other person, as deemed appropriate by the Attorney General, to
16 track a sexual assault forensic evidence kit through the chain of
17 custody from the time of collection at a healthcare facility to the
18 transfer to a local law enforcement agency, submission to an
19 appropriate laboratory for processing and testing, and final
20 disposition.

21

22 2. This act shall take effect on the first day of the seventh
23 month after enactment, but the Attorney General may take any
24 administrative action in advance as shall be necessary to implement
25 the provisions of this act.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 715

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2024

The Assembly Appropriations Committee reports favorably Senate Bill No. 715.

This bill requires the Attorney General to establish a sexual assault forensic evidence (SAFE) kit, commonly referred to as a rape kit, tracking system. Under the bill, the Attorney General is to issue guidelines or a directive establishing the system.

The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

As reported by the committee, Senate Bill No. 715 is identical to Assembly Bill No. 908, which was also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds the bill establishes in law a State-wide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant.

The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 715

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2024

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 715.

As reported by the committee, this bill requires the Attorney General to establish a sexual assault forensic evidence (SAFE) kit, commonly referred to as a rape kit, tracking system.

Under the bill, the Attorney General is to issue guidelines or a directive establishing the system.

The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 715

STATE OF NEW JERSEY

DATED: OCTOBER 7, 2024

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 715.

This bill requires the Attorney General to establish a sexual assault forensic evidence (SAFE) kit, commonly referred to as a rape kit, tracking system.

Under the bill, the Attorney General is to issue guidelines or a directive establishing the system.

The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds the bill establishes in law a Statewide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant.

The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 715
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JUNE 17, 2024

SUMMARY

- Synopsis:** Requires AG to establish rape kit tracking system.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Department of Law and Public Safety; County Prosecutors; State, County, and Municipal Law Enforcement Agencies.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds the bill establishes in law a Statewide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant.
- The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

BILL DESCRIPTION

This bill requires the Attorney General to establish a Statewide sexual assault forensic evidence kit tracking system.

Under the bill, the Attorney General is required to issue guidelines or a directive establishing the system. The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

FISCAL ANALYSIS

EXECUTIVE BRANCH

In response to FY 2025 OLS Discussion Points, the Department of Law and Public Safety provided information on the \$2 million federal Sexual Assault Kit Initiative grant it received in November of 2023 to establish a sexual assault kit tracking system. The department outlined the approved budget allocations for the specific components of the \$2 million grant. The department also discussed federal funds it has received since FY 2020 for sexual assault forensic evidence kits, and noted that no State funds were appropriated to supplement these federal grant funds.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the bill establishes in law a Statewide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant. The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

In March of 2023, the New Jersey Attorney General issued Directive No. 2023-1, which among other provisions contained requirements for a county based sexual assault forensic evidence kit tracking system to be established. This bill would somewhat codify the Attorney General’s directive; it does not exactly mirror the directive.

Since FY 2020, the Department of Law and Public Safety has received \$5.8 million in federal funds to support the investigation and prosecution of cold case sexual assaults and funds toward a comprehensive approach to unsubmitted sexual assault forensic evidence kits.

**New Jersey Sexual Assault Forensic Evidence Kit Related Federal Funds
(FY 2020 to FY 2023)***

YEAR	AMOUNT	Sexual Assault Forensic Evidence Kit Purpose Area
FY2020	\$ 918,058	Investigation and Prosecution of Cold Case Sexual Assaults
FY2022	\$1,500,000	Investigation and Prosecution of Cold Case Sexual Assaults
FY2023	\$2,000,000	Comprehensive Approach to Unsubmitted Sexual Assault Kits
FY2023	\$1,400,000	National Cold Case Initiative
TOTAL	\$5,818,058	

*Sexual Assault Kit Initiative, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice

In November of 2023, the Department of Law and Public Safety received a \$2 million federal grant to establish a sexual assault kit tracking system. According to the award description for this National Sexual Assault Kit Initiative grant, which is funded by the United States Department of Justice’s Bureau of Justice Assistance, the \$2 million in grant funding for New Jersey is to be used for developing and launching a statewide sexual assault kit tracking system. Specifically, “[t]his system will require all law enforcement agencies and forensic nurse examiner programs across the state to enter and track every Sexual Assault Forensic Evidence (SAFE) kit currently in their possession and all future kits turned over to them. The tracking system will provide every victim of sexual assault the ability to track the progress of their kit and case. Additionally, the new system will allow monitoring of kits from collection through processing to aid in better identification of delays in submission or analysis, as well as to improve collaboration with other tracking systems

including CODIS [Combined DNA Index System] and VICAP [Violent Criminal Apprehension Program]. Funds will also be used to expand long-term storage capacity for SAFE kits.”

The OLS concurs with informal information from the Office of the Attorney General that there will be indeterminate staffing costs to establish a Statewide sexual assault forensic evidence kit tracking system, as well as costs for the ongoing operation and maintenance of the system. The OLS cannot predict federal grants that may be received for the kit tracking system in future fiscal years. As such, the funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate at this time.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Lead Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 908

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman MICHELE MATSIKLOUDIS

District 21 (Middlesex, Morris, Somerset and Union)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

**Assemblyman Stanley, Assemblywomen Dunn, Katz and Assemblyman
Bailey**

SYNOPSIS

Requires AG to establish rape kit tracking system.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/3/2024)

1 AN ACT concerning sexual assault forensic evidence kits and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Attorney General shall establish a Statewide sexual
8 assault forensic evidence kit tracking system. The Attorney
9 General shall issue guidelines or a directive establishing the system.

10 b. As used in this section, “sexual assault forensic evidence kit
11 tracking system” means an Internet-based system that allows a
12 person, including a victim; a State, county, or municipal law
13 enforcement officer; an employee of a healthcare facility or
14 laboratory, as deemed appropriate by the Attorney General; and any
15 other person, as deemed appropriate by the Attorney General, to
16 track a sexual assault forensic evidence kit through the chain of
17 custody from the time of collection at a healthcare facility to the
18 transfer to a local law enforcement agency, submission to an
19 appropriate laboratory for processing and testing, and final
20 disposition.

21

22 2. This act shall take effect on the first day of the seventh
23 month after enactment, but the Attorney General may take any
24 administrative action in advance as shall be necessary to implement
25 the provisions of this act.

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STATEMENT

29

30 This bill requires the Attorney General to establish a sexual
31 assault forensic evidence (SAFE) kit, commonly referred to as a
32 rape kit, tracking system.

33 Under the bill, the Attorney General is to issue guidelines or a
34 directive establishing the system.

35 The bill defines a “sexual assault forensic evidence kit tracking
36 system” as an Internet-based system that allows a person, including
37 a victim; a State, county, or municipal law enforcement officer; an
38 employee of a healthcare facility or laboratory, as deemed
39 appropriate by the Attorney General; and any other person, as
40 deemed appropriate by the Attorney General, to track a sexual
41 assault forensic evidence kit through the chain of custody from the
42 time of collection at a healthcare facility to the transfer to a local
43 law enforcement agency, submission to a laboratory, and final
44 disposition.

ASSEMBLY, No. 908

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman MICHELE MATSIKLOUDIS

District 21 (Middlesex, Morris, Somerset and Union)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

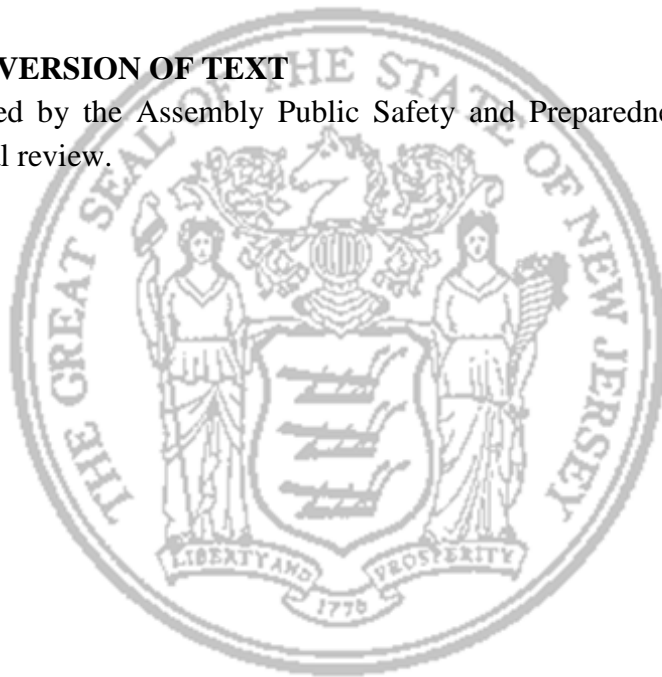
Assemblyman Stanley, Assemblywomen Dunn, Katz, Assemblymen Bailey, Hutchison, Miller, Assemblywomen Murphy, Donlon, Peterpaul, Ramirez, Haider, Assemblyman Freiman, Assemblywomen Drulis, Flynn, Speight, Swain, Assemblymen Tully and Karabinchak

SYNOPSIS

Requires AG to establish rape kit tracking system.

CURRENT VERSION OF TEXT

As reported by the Assembly Public Safety and Preparedness Committee with technical review.



(Sponsorship Updated As Of: 12/19/2024)

1 AN ACT concerning sexual assault forensic evidence kits and
2 supplementing Title 52 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. The Attorney General shall establish a Statewide sexual
8 assault forensic evidence kit tracking system. The Attorney
9 General shall issue guidelines or a directive establishing the system.

10 b. As used in this section, “sexual assault forensic evidence kit
11 tracking system” means an Internet-based system that allows a
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13 enforcement officer; an employee of a healthcare facility or
14 laboratory, as deemed appropriate by the Attorney General; and any
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16 track a sexual assault forensic evidence kit through the chain of
17 custody from the time of collection at a healthcare facility to the
18 transfer to a local law enforcement agency, submission to an
19 appropriate laboratory for processing and testing, and final
20 disposition.

21

22 2. This act shall take effect on the first day of the seventh
23 month after enactment, but the Attorney General may take any
24 administrative action in advance as shall be necessary to implement
25 the provisions of this act.

ASSEMBLY PUBLIC SAFETY AND PREPAREDNESS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 908

STATE OF NEW JERSEY

DATED: JUNE 3, 2024

The Assembly Public Safety and Preparedness Committee reports favorably Assembly Bill No. 908.

As reported by the committee, this bill requires the Attorney General to establish a sexual assault forensic evidence (SAFE) kit, commonly referred to as a rape kit, tracking system.

Under the bill, the Attorney General is to issue guidelines or a directive establishing the system.

The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 908

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2024

The Assembly Appropriations Committee reports favorably Assembly Bill No. 908.

This bill requires the Attorney General to establish a sexual assault forensic evidence (SAFE) kit, commonly referred to as a rape kit, tracking system. Under the bill, the Attorney General is to issue guidelines or a directive establishing the system.

The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

As reported by the committee, Assembly Bill No. 908 is identical to Senate Bill No. 715, which was also reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds the bill establishes in law a State-wide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant.

The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 908
STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JUNE 18, 2024

SUMMARY

- Synopsis:** Requires AG to establish rape kit tracking system.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Department of Law and Public Safety; County Prosecutors; State, County, and Municipal Law Enforcement Agencies.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	Indeterminate

- The Office of Legislative Services (OLS) finds the bill establishes in law a Statewide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant.
- The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

BILL DESCRIPTION

This bill requires the Attorney General to establish a Statewide sexual assault forensic evidence kit tracking system.

Under the bill, the Attorney General is required to issue guidelines or a directive establishing the system. The bill defines a “sexual assault forensic evidence kit tracking system” as an Internet-based system that allows a person, including a victim; a State, county, or municipal law enforcement officer; an employee of a healthcare facility or laboratory, as deemed appropriate by the Attorney General; and any other person, as deemed appropriate by the Attorney General, to track a sexual assault forensic evidence kit through the chain of custody from the time of collection at a healthcare facility to the transfer to a local law enforcement agency, submission to a laboratory, and final disposition.

FISCAL ANALYSIS

EXECUTIVE BRANCH

In response to FY 2025 OLS Discussion Points, the Department of Law and Public Safety provided information on the \$2 million federal Sexual Assault Kit Initiative grant it received in November of 2023 to establish a sexual assault kit tracking system. The department outlined the approved budget allocations for the specific components of the \$2 million grant. The department also discussed federal funds it has received since FY 2020 for sexual assault forensic evidence kits, and noted that no State funds were appropriated to supplement these federal grant funds.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the bill establishes in law a Statewide sexual assault forensic evidence kit tracking system, and notes that a kit tracking system is currently being implemented pursuant to Attorney General Law Enforcement Directive No. 2023-1 and funded through a federal grant. The OLS estimates that there will be indeterminate annual costs following the implementation of the kit tracking system. The funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate.

In March of 2023, the New Jersey Attorney General issued Directive No. 2023-1, which among other provisions contained requirements for a county based sexual assault forensic evidence kit tracking system to be established. This bill would somewhat codify the Attorney General's directive; it does not exactly mirror the directive.

Since FY 2020, the Department of Law and Public Safety has received \$5.8 million in federal funds to support the investigation and prosecution of cold case sexual assaults and funds toward a comprehensive approach to unsubmitted sexual assault forensic evidence kits.

New Jersey Sexual Assault Forensic Evidence Kit Related Federal Funds (FY 2020 to FY 2023)*

YEAR	AMOUNT	Sexual Assault Forensic Evidence Kit Purpose Area
FY2020	\$ 918,058	Investigation and Prosecution of Cold Case Sexual Assaults
FY2022	\$1,500,000	Investigation and Prosecution of Cold Case Sexual Assaults
FY2023	\$2,000,000	Comprehensive Approach to Unsubmitted Sexual Assault Kits
FY2023	\$1,400,000	National Cold Case Initiative
TOTAL	\$5,818,058	

*Sexual Assault Kit Initiative, Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice

In November of 2023, the Department of Law and Public Safety received a \$2 million federal grant to establish a sexual assault kit tracking system. According to the award description for this National Sexual Assault Kit Initiative grant, which is funded by the United States Department of Justice's Bureau of Justice Assistance, the \$2 million in grant funding for New Jersey is to be used for developing and launching a statewide sexual assault kit tracking system. Specifically, "[t]his system will require all law enforcement agencies and forensic nurse examiner programs across the state to enter and track every Sexual Assault Forensic Evidence (SAFE) kit currently in their possession and all future kits turned over to them. The tracking system will provide every victim of sexual assault the ability to track the progress of their kit and case. Additionally, the new system will allow monitoring of kits from collection through processing to aid in better identification of delays in submission or analysis, as well as to improve collaboration with other tracking systems

including CODIS [Combined DNA Index System] and VICAP [Violent Criminal Apprehension Program]. Funds will also be used to expand long-term storage capacity for SAFE kits.”

The OLS concurs with informal information from the Office of the Attorney General that there will be indeterminate staffing costs to establish a Statewide sexual assault forensic evidence kit tracking system, as well as costs for the ongoing operation and maintenance of the system. The OLS cannot predict federal grants that may be received for the kit tracking system in future fiscal years. As such, the funding sources for the ongoing operation and maintenance of the tracking system are also indeterminate at this time.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Lead Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Signs Legislation Establishing Rape Kit Tracking System

01/23/2025

TRENTON – Governor Phil Murphy today signed [S715/A908](#), which requires the Office of the Attorney General to establish an internet-based rape kit tracking system. The bill, which unanimously passed both the Senate and General Assembly before reaching the Governor’s desk, requires the Attorney General to issue guidelines or a directive establishing a sexual assault forensic evidence (SAFE) kit tracking system accessible to the victim; State, county, or municipal law enforcement officers; and, as deemed appropriate, employees of a health care facility or laboratory.

“Survivors of sexual assault who show strength and resilience in coming forward deserve recognition and support,” **said Governor Murphy**. “This well overdue bill cements into law the work our Administration has undertaken to support survivors. Through the groundwork laid by the Office of the Attorney General, in collaboration with the Division of Violence Intervention and Victim Assistance, the Division of Criminal Justice, and other law enforcement officials, survivors will have access to a dedicated tracking system to stay informed through every step of their pursuit of justice.”

“In New Jersey, we understand the impact of sexual assault victimization and have been implementing survivor-centered, trauma-informed policies in response,” **said Attorney General Matthew J. Platkin**. “In March 2023, we issued a Directive that expands the amount of time we retain SAFE kits and have since required all kits submitted to law enforcement with the survivors consent be brought to the lab for analysis. In 2023, LPS secured federal funding to create a sexual assault kit tracking system that will provide more transparency and autonomy to those who have been harmed. For more than a year, we have been coordinating with multiple State agencies to implement this system. We thank the Legislature and Governor Murphy for sharing these priorities.”

In 2023, Attorney General Platkin announced the receipt of \$2 million in competitive federal funding to establish an advanced tracking system for the state’s SAFE kits.

Later that year, Attorney General Platkin issued a statewide law enforcement directive to ensure that sexual assault survivors have access to the medical, investigative, and supportive services they need and deserve, and that evidence collected in sexual assault cases is preserved and processed in a victim-centered and efficient manner. This directive extended the required retention period for evidence, including DNA evidence, from sexual assault medical examinations from five years to 20 years; established statewide procedures and guidelines for tracking, storing, and determining how and when such evidence is submitted for testing; and mandated that all SAFE Kits provided to law enforcement with a victim’s consent be submitted to the forensic laboratory for testing.

The primary sponsors of the legislation are Senator Renee Burgess and Assemblywoman Verlina Reynolds-Jackson. Other prime sponsors include Senator Paul Moriarty, Assemblywoman Michele Matsikoudis, and Assemblywoman Annette Quijano.

“This law is a critical step forward in ensuring justice and support for survivors of sexual violence. By establishing a rape kit tracking system, we are providing survivors with the transparency they deserve and holding the system

accountable for its role in securing justice," **said Senator Burgess**. "When it comes to a rape or sexual assault, the gathering and preservation of physical evidence is of paramount importance to improving New Jersey's response to sexual assault cases and helping to restore trust in our criminal justice system."

"This legislation is a significant moment in our fight to ensure justice for survivors of sexual assault. The implementation of SAFE Kit procedures to be used in rape or sexual assault cases provides law enforcement with an invaluable tool as they conduct their investigations and also offers survivors peace of mind as they navigate a system that too often leaves them in the dark," **said Senator Moriarty**. "This legislation puts New Jersey solidly in line with several other states, enabling investigators to track evidence better and streamline data in pursuing justice."

"Establishing a tracking system for sexual assault forensic evidence kits is of the utmost importance, ensuring a level of transparency and healing exists within our communities," **said Assemblywoman Reynolds-Jackson**. "Through A908, we aim to empower victims by providing them with the ability to track the progress of their evidence, ensuring their voices are heard and their rights are protected."

"Allowing survivors of sexual assault to track their kits puts power back into their hands and provides critical transparency during the investigative process. This law acknowledges the immense courage and vulnerability of victims, as well as the deficiencies in our justice system. I am proud to sponsor a law that makes New Jersey a more just place for those who have experienced the trauma of rape and sexual assault," **said Assemblywoman Matsikoudis**.

"The signing of this bill is a significant milestone in our commitment to protecting the rights of survivors, ensuring that sexual assault-related evidence is not only thoroughly examined but also treated with the utmost respect and care," **said Assemblywoman Quijano**. "It is also a crucial step towards ensuring a more timely investigation of sexual assault cases in New Jersey and bringing justice and timely closure for victims."

"The New Jersey Coalition Against Sexual Assault (NJCASA) commends Governor Murphy for his signing of S715/A908 to establish a statewide rape kit tracking system in New Jersey. We are confident that this system will enable survivors to check on the status of a kit's processing, fostering greater transparency, efficiency, and accountability in the handling of sexual assault evidence, and thereby empowering survivors. NJCASA is grateful to all who supported this bill and applauds their commitment to survivors of sexual violence and their loved ones," **said Denise Rodriguez, PhD, Co-Director, New Jersey Coalition Against Sexual Assault**.

Posted on: January 23, 2025

Reynolds-Jackson, Quijano Bill Creating Rape Kit Tracking System Signed Into Law

(TRENTON) — Assemblywoman [Verlina Reynolds-Jackson](#)'s bill requiring the New Jersey Attorney General to establish a system to track sexual assault forensic evidence (SAFE) kits, more commonly known as rape kits, was signed into law today. Bill [S715/A908](#) will reduce the number of untested rape kits and expedite the investigation of rape cases, bringing justice and closure for victims.

Assemblywoman [Annette Quijano](#) also sponsored the bill.



“Establishing a tracking system for sexual assault forensic evidence kits is of the utmost importance, ensuring a level of transparency and healing exists within our communities,” **said Assemblywoman Reynolds-Jackson (D-Hunterdon, Mercer)**. “Through A908, we aim to empower victims by providing them with the ability to track the progress of their evidence, ensuring their voices are heard and their rights are protected.”

“The signing of this bill is a significant milestone in our commitment to protecting the rights of survivors, ensuring that sexual assault-related evidence is not only thoroughly examined but also treated with the utmost respect and care,” **said Assemblywoman Annette Quijano (D-Union)**. “It is also a crucial step towards ensuring a more timely investigation of sexual assault cases in New Jersey and bringing justice and timely closure for victims.”

If a victim of sexual assault consents to a physical examination, a rape kit is created to collect physical evidence left on a victim’s body after the assault. Once a kit is compiled, it is sent to law enforcement to be tested for DNA, which can then be used to prosecute the attacker.

Bill A908 will establish a framework for tracking the submission of sexual assault-related evidence throughout the chain of custody. The legislation will task the Attorney General with creating guidelines or a directive establishing an internet-based system that would allow victims, law enforcement officers, healthcare facilities, or laboratory employees, and others to track sexual assault evidence through the chain of custody from the initial collection to its testing and final disposition.