



**This Bill Analysis reflects the contents of the bill as it was presented in committee.**

# HOUSE BILL 945: Rape Evidence Collection Kit Tracking Act.

2017-2018 General Assembly

<b>Committee:</b>	House Judiciary II	<b>Date:</b>	June 6, 2018
<b>Introduced by:</b>	Reps. Boles, Davis	<b>Prepared by:</b>	Shawn Middlebrooks Susan L. Sitze Staff Attorneys
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** House Bill 945 would establish a statewide sexual assault kit tracking system and require tracking of all untested sexual assault kits as recommended by the Joint Legislative Oversight Committee on Justice and Public Safety (JPS Oversight).

**CURRENT LAW:** In 2017, the North Carolina State Crime Laboratory (Crime Lab) issued a report entitled *2017 Sexual Assault Evidence Collection Kit (SAECK) Law Enforcement Inventory Report*, documenting over 15,160 untested sexual assault kits in North Carolina. A copy of the full report can be found [here](http://www.ncdoj.gov/News-and-Alerts/News-Releases-and-Advisories/Attorney-General-Josh-Stein-Announces-Results-of-S.aspx) (<http://www.ncdoj.gov/News-and-Alerts/News-Releases-and-Advisories/Attorney-General-Josh-Stein-Announces-Results-of-S.aspx>).

The Appropriations Act of 2017 (S.L. 2017-57, s. 17.7) required each law enforcement agency across the State to conduct an inventory of all untested sexual assault kits and report the findings to the Crime Lab.

### BILL ANALYSIS:

**Section 1** of House Bill 945 would:

- Establish the Statewide SAECK Tracking System (System), within the Crime Lab.
- Require the Director of the Crime lab to implement operation protocols for the System.
- Require the Secretary of the Department of Public Safety (DPS) to adopt rules for System participants.
- Mandate participation for certain entities, including medical providers, law enforcement agencies, forensic laboratories, and other entities having custody or use of sexual assault kits.
- Provide victims the ability to track the location and status of their sexual assault kit.
- Track untested kits.
- Require annual reports from the Director of the Crime Lab to the General Assembly.

**Section 2** of House Bill 945 would:

- Change the term "rape" evidence collection kit to "sexual assault" evidence collection kit.
- Require kits purchased and distributed on or after October 1, 2018 to be compatible with the System.

**Section 3** would direct the Secretary of DPS to convene a working group regarding testing priority for untested kits.

**EFFECTIVE DATE:** This bill would be effective when it becomes law.

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