



HOUSE BILL 945: Rape Evidence Collection Kit Tracking Act.

2017-2018 General Assembly

Committee:		Date:	August 13, 2018
Introduced by:		Prepared by:	Jennifer H. Bedford Staff Attorney
Analysis of:	S.L. 2018-70		

OVERVIEW: *S.L. 2018-70 establishes a statewide sexual assault kit tracking system, and requires tracking of all untested sexual assault kits as recommended by the Joint Legislative Oversight Committee on Justice and Public Safety (JPS Oversight). This act also directs the Director of the Crime Lab and the Secretary of the Department of Public Safety to implement protocols related to sexual assault kits; and creates a working group to examine the prioritization of untested kits.*

This act became effective June 25, 2018.

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:

S.L. 2018-70:

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

S.L. 2018-70:

- Expands the offenses referenced for the evidence collection kits from "rape" to "sexual assault".
- Requires that kits purchased and distributed on or after October 1, 2018, be compatible with the System.

S.L. 2018-70 directs the Secretary of DPS to convene a working group regarding testing priority for untested kits.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578

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*Staff Attorney Shawn Middlebrooks contributed to this summary.