



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

SENATE BILL 727: Rape Evidence Collection Kit Tracking Act.

2017-2018 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 4, 2018
Introduced by:	Sens. Randleman, Sanderson	Prepared by:	Shawn Middlebrooks Jennifer H. Bedford Staff Attorney
Analysis of:	PCS to First Edition S727-CSBQ-5		

OVERVIEW: The PCS 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 (JLOCJPS).

CURRENT LAW: In 2017, the State Crime Lab (Crime Lab) issued a report entitled *2017 Sexual Assault Evidence Collection Kit 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 the PCS 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 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 the PCS would:

- Allow appropriated funds to purchase and distribute *sexual assault* kits instead of *rape* evidence collection kits, broadening the scope of victims assisted.
- Require kits purchased and distributed on or after October 1, 2018 to be compatible with the System.

Section 3 of the PCS would direct the Secretary 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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