## ASSEMBLY, No. 4890 **STATE OF NEW JERSEY** 219th LEGISLATURE

INTRODUCED OCTOBER 26, 2020

Sponsored by: Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen) Assemblywoman ANGELA V. MCKNIGHT District 31 (Hudson) Assemblywoman VERLINA REYNOLDS-JACKSON District 15 (Hunterdon and Mercer)

Co-Sponsored by: Assemblywoman Lopez, Assemblymen Johnson, Giblin and Zwicker

## SYNOPSIS

Requires sexual assault training for prosecutors.

## **CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 10/29/2020)

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1 AN ACT concerning prosecutor training, supplementing chapter 4B 2 of Title 52 of the Revised Statutes, and amending P.L.2001, c.81. 3 4 **BE IT ENACTED** by the Senate and General Assembly of the State 5 of New Jersey: 6 7 1. (New section) a. The Division of Criminal Justice shall develop or approve a triennial in-service training course and 8 9 curriculum specifically for county prosecutors and assistant county 10 prosecutors on how to appropriately handle, investigate, and 11 respond to reports of sexual assault. 12 b. The training course and curriculum shall include a 13 component emphasizing the value of restorative justice in sexual 14 assault cases. 15 c. The division shall make the training course and curriculum 16 available to all county prosecutor's offices in the State. 17 d. The division shall review the training course and curriculum 18 every two years, in conjunction with nationally recognized trainers with expertise in trauma informed care and the New Jersey 19 20 Coalition Against Sexual Assault, and make any necessary 21 modifications. 22 e. The division may make the training course and curriculum 23 available in an online format, but prosecutors shall complete the 24 course and curriculum in person every six years. 25 The Attorney General shall be responsible for ensuring that f. 26 all county prosecutors and assistant county prosecutors triennially 27 complete the in-service training on handling sexual assault matters 28 required by this section. 29 g. A county prosecutor or assistant county prosecutor 30 appointed after the effective date of P.L. c. (C. ) (pending 31 before the Legislature as this bill) shall complete the training course 32 and curriculum within 60 days of the prosecutor's initial 33 The division shall determine whether training in the appointment. 34 handling of sexual assault cases completed by a prosecutor appointed prior to the effective date of P.L. 35 (C. с. (pending before the Legislature as this bill) complies with the 36 37 requirements of this section. If the training does not comply with these requirements, the prosecutor shall complete the training 38 39 course and curriculum required by this section within 60 days of the 40 effective date of P.L. (C. ) (pending before the c. 41 Legislature as this bill). 42 h. The division shall develop an open process pursuant to

h. The division shall develop an open process pursuant to
which the division will accept bids by organizations to assist in
developing and providing the training required by this section.

Matter underlined <u>thus</u> is new matter.

EXPLANATION – Matter enclosed in **bold-faced** brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

1 Section 8 of P.L.2001, c.81 (C.52:4B-56) is amended to read 2. 2 as follows: 3 8. The Attorney General shall establish a sexual assault unit within the Department of Law and Public Safety which shall 4 5 include a sexual assault investigator and a certified forensic sexual 6 assault nurse examiner. 7 The unit shall oversee the operation of the county sexual assault 8 nurse examiner programs, and provide assistance to counties in the 9 investigation and prosecution of sexual assaults. The unit shall 10 review all complaints received regarding a county's investigation 11 and prosecution of a sexual assault and shall provide recommendations to the Attorney General regarding the county's 12 investigation and prosecution of the case. The unit also shall 13 14 provide training to law enforcement officials and county 15 prosecutors, on an ongoing basis, in the investigation and 16 prosecution of sexual assault. Any training the unit may provide to county prosecutors and assistant county prosecutors shall comply 17 with the requirements of section 1 of P.L., c. (C.) (pending 18 19 before the Legislature as this bill). 20 (cf: P.L.2001, c.81, s.8) 21 22 3. This act shall take effect on the first day of the fourth month 23 next following enactment. 24 25 26 **STATEMENT** 27 This bill requires the Division of Criminal Justice (DCJ) in the 28 29 Department of Law and Public Safety to develop or approve a 30 triennial in-service training course and curriculum specifically for 31 county prosecutors and assistant county prosecutors on handling, 32 investigating, and responding to reports of sexual assault. The 33 training course and curriculum required by the bill is to include 34 instruction on the value of restorative justice in sexual assault cases. 35 The DCJ is to make the curriculum available to all county prosecutor's offices in the State. The Attorney General is 36 37 responsible for ensuring that all county prosecutors and assistant 38 county prosecutors complete this training. 39 The bill requires the DCJ to review and make necessary revisions 40 to the training course and curriculum every two years. The DCJ is 41 to consult with nationally recognized trainers with expertise in trauma informed care and the New Jersey Coalition Against Sexual 42 43 Assault in this review. 44 The training course and curriculum may be made available in an 45 online format, but prosecutors are to complete the course and 46 curriculum in person every six years. 47 A county prosecutor or assistant county prosecutor appointed 48 after the bill's effective date is to complete the training course and

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1 curriculum within 60 days of appointment. If a prosecutor appointed on the effective date of the bill has completed training in 2 3 the handling of sexual assault cases, the DCJ is required to 4 determine whether that training complies with the bill's provisions. 5 If the training does not comply with these provisions, the prosecutor will be required to complete the training course and curriculum 6 7 required by the bill within 60 days of the bill's effective date. Finally, the bill requires the DCJ to develop an open process for 8 9 accepting bids by organizations wishing to assist in developing and

10 providing the training required by the bill.