

**ASSEMBLY, No. 4888**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED OCTOBER 26, 2020

**Sponsored by:**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblywoman YVONNE LOPEZ**

**District 19 (Middlesex)**

**Assemblywoman HOLLY T. SCHEPISI**

**District 39 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblymen Zwicker, Giblin, Assemblywoman Speight, Assemblymen  
Johnson and Chiaravalloti**

**SYNOPSIS**

Requires AG audit sexual assault cases and issue annual report.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/22/2021)**

1 AN ACT concerning auditing of sexual assault cases and  
2 supplementing P.L.1985, c.404.

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, in consultation with the county  
8 prosecutors, regularly shall audit cases of sexual assault and  
9 criminal sexual contact in this State. Information to be audited  
10 shall include, but not be limited to, the number of sexual assault and  
11 criminal sexual contact cases:

12 (1) reported to law enforcement agencies and including a brief  
13 summary of the facts of each case as specified in the police report;

14 (2) in which reports or complaints were filed by victims;

15 (3) referred to the county prosecutor;

16 (4) declined to be prosecuted by the county prosecutor and the  
17 reason for declining;

18 (5) resulting in indictments or other charges;

19 (6) downgraded from the New Jersey Superior Court to  
20 municipal court;

21 (7) resulting in a plea-agreement and the specific disposition of  
22 the case; and

23 (8) presented for trial and the specific disposition of the case.

24 b. The Attorney General shall include in the report any other  
25 relevant information concerning statutory obligations to respond to  
26 and investigate sexual assault or criminal sexual contact cases.

27 c. The Attorney General annually shall prepare a report  
28 summarizing the information resulting from the audit required  
29 pursuant to subsection a. of this section. The annual report shall not  
30 contain any personal or identifying information about any victim.  
31 The Attorney General shall submit the annual report to the  
32 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-  
33 19.1), to the Legislature. The annual report also shall be posted on  
34 the official website of the Department of Law and Public Safety.

35  
36 2. This act shall take effect on the first day of the fourth month  
37 next following enactment.

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40 STATEMENT

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42 This bill requires the Attorney General to audit the number and  
43 nature of sexual assault and criminal sexual contact cases in this  
44 State and issue an annual report summarizing the audit information.

45 The bill specifically requires the Attorney General to consult with  
46 the county prosecutors to regularly audit cases of sexual assault and  
47 criminal sexual contact. The audit is to include the number of  
48 overall sexual assault and criminal sexual contact cases that are

1 reported to law enforcement agencies with the facts of each case  
2 briefly summarized; the number of reports or complaints filed by  
3 victims; how many of these cases are referred to the county  
4 prosecutor; the number of cases that county prosecutors decline to  
5 prosecute and reasons for declining prosecution; the number of  
6 indictments or other charges; the number of cases downgraded from  
7 the New Jersey Superior Court to municipal court; the number of  
8 cases that resulted in a plea-agreement and the specific disposition  
9 of the case; and the number of cases presented for trial with the  
10 specific disposition of those cases.

11 The Attorney General also is required to include in the report any  
12 other relevant information concerning statutory obligations to  
13 respond to and investigate sexual assault or criminal sexual contact  
14 cases.

15 Finally, the bill requires the Attorney General to issue an annual  
16 report summarizing the information resulting from the required  
17 auditing of sexual assault and criminal sexual contact cases. The  
18 annual report is not to contain any personal or identifying  
19 information about victims. The annual report is to be submitted to  
20 the Governor and the Legislature, as well as posted on the official  
21 website of the Department of Law and Public Safety.