

[First Reprint]

## **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:**

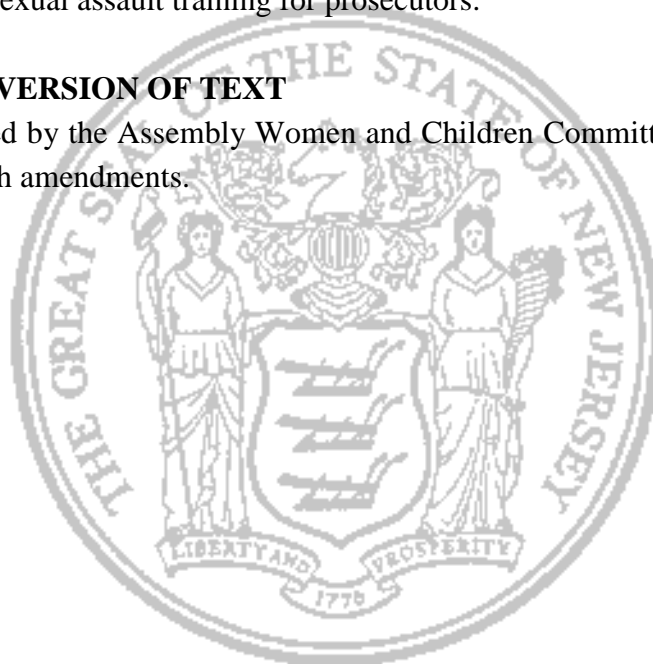
**Assemblywoman Lopez, Assemblymen Johnson, Giblin, Zwicker, Holley, Tully, McKeon, Scharfenberger, Assemblywomen Downey, N.Munoz, Jasey, Swain, Schepisi and Timberlake**

### **SYNOPSIS**

Requires sexual assault training for prosecutors.

### **CURRENT VERSION OF TEXT**

As reported by the Assembly Women and Children Committee on February 23, 2021, with amendments.



(Sponsorship Updated As Of: 3/1/2021)

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  
 8 develop or approve a triennial in-service training course and  
 9 curriculum specifically for <sup>1</sup>every<sup>1</sup> county <sup>1</sup>**[prosecutors]**  
 10 prosecutor<sup>1</sup> and <sup>1</sup>each<sup>1</sup> assistant county <sup>1</sup>**[prosecutors]** prosecutor  
 11 to whom sexual assault cases are assigned<sup>1</sup> on how to appropriately  
 12 handle, investigate, and respond to reports of sexual assault.

13 b. The training course and curriculum shall include a  
 14 component emphasizing the value of restorative justice in sexual  
 15 assault cases.

16 c. The division shall make the training course and curriculum  
 17 available to all county prosecutor's offices in the State.

18 d. The division shall review the training course and curriculum  
 19 every <sup>1</sup>**[two]** five<sup>1</sup> years, in <sup>1</sup>**[conjunction]** consultation<sup>1</sup> with  
 20 nationally recognized trainers with expertise in trauma informed  
 21 care and the New Jersey Coalition Against Sexual Assault, and  
 22 make any necessary modifications.

23 e. The division may make the training course and curriculum  
 24 available in an online format, but prosecutors shall complete the  
 25 course and curriculum in person every six years.

26 f. The Attorney General shall be responsible for ensuring that  
 27 all county prosecutors and <sup>1</sup>appropriate<sup>1</sup> assistant county  
 28 prosecutors triennially complete the in-service training on handling  
 29 sexual assault matters required by this section.

30 g. A county prosecutor or assistant county prosecutor  
 31 appointed after the effective date of P.L. c. (C. ) (pending  
 32 before the Legislature as this bill) shall complete the training course  
 33 and curriculum within 60 days of the prosecutor's initial  
 34 appointment. The division shall determine whether training in the  
 35 handling of sexual assault cases completed by a prosecutor  
 36 appointed prior to the effective date of P.L. c. (C. )  
 37 (pending before the Legislature as this bill) complies with the  
 38 requirements of this section. If the training does not comply with  
 39 these requirements, the prosecutor shall complete the training  
 40 course and curriculum required by this section within 60 days of the  
 41 effective date of P.L. c. (C. ) (pending before the  
 42 Legislature as this bill).

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

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AWC committee amendments adopted February 23, 2021.

1        2. Section 8 of P.L.2001, c.81 (C.52:4B-56) is amended to read  
2 as follows:

3        8. The Attorney General shall establish a sexual assault unit  
4 within the Department of Law and Public Safety which shall  
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  
12 recommendations to the Attorney General regarding the county's  
13 investigation and prosecution of the case. The unit also shall  
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  
17 county prosecutors and assistant county prosecutors shall comply  
18 with the requirements of section 1 of P.L. , c. (C. ) (pending  
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.