

P.L. 2021, CHAPTER 66, *approved April 19, 2021*

Senate, No. 3076 (*First Reprint*)

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 ¹every county **1**~~prosecutors~~
10 prosecutor¹ and ¹each assistant county **1**~~prosecutors~~ prosecutor
11 to whom sexual assault cases are assigned¹ 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 **1**~~two~~ five years, in **1**~~conjunction~~ consultation¹ 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 ¹appropriate 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

EXPLANATION – Matter enclosed in bold-faced brackets **1**~~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:

¹Senate SLP committee amendments adopted December 10, 2020.

1 effective date of P.L. c. (C.) (pending before the
2 Legislature as this bill).

3 h. The division shall develop an open process pursuant to
4 which the division will accept bids by organizations to assist in
5 developing and providing the training required by this section.
6

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

9 8. The Attorney General shall establish a sexual assault unit
10 within the Department of Law and Public Safety which shall
11 include a sexual assault investigator and a certified forensic sexual
12 assault nurse examiner.

13 The unit shall oversee the operation of the county sexual assault
14 nurse examiner programs, and provide assistance to counties in the
15 investigation and prosecution of sexual assaults. The unit shall
16 review all complaints received regarding a county's investigation
17 and prosecution of a sexual assault and shall provide
18 recommendations to the Attorney General regarding the county's
19 investigation and prosecution of the case. The unit also shall
20 provide training to law enforcement officials and county
21 prosecutors, on an ongoing basis, in the investigation and
22 prosecution of sexual assault. Any training the unit may provide to
23 county prosecutors and assistant county prosecutors shall comply
24 with the requirements of section 1 of P.L. , c. (C.) (pending
25 before the Legislature as this bill).

26 (cf: P.L.2001, c.81, s.8)
27

28 3. This act shall take effect on the first day of the fourth month
29 next following enactment.
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32 _____
33
34 Requires sexual assault training for prosecutors.