SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 3074

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2020

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 3074.

As amended and reported by the committee, this bill requires the Attorney General to report the number and nature of sexual assault and criminal sexual contact cases in this State and issue an annual report summarizing this information.

The bill specifically requires the Attorney General to consult with the county prosecutors to regularly report cases of sexual assault and criminal sexual contact. The amended bill requires the report to include the number of each of the following: overall sexual assault and criminal sexual contact cases that are reported to law enforcement agencies; reports or complaints filed by victims; cases referred to the county prosecutor; cases that county prosecutors decline to prosecute classified by categorical description of the reason for declining; indictments or other charges; cases downgraded from the New Jersey Superior Court to municipal court; cases that resulted in a plea-agreement and the specific disposition of the case; and cases presented for trial with the specific disposition of those cases.

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

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

COMMITTEE AMENDMENTS:

The committee amended the bill to:

1) remove the requirement that a brief summary of the facts included in the police report for each sexual assault and criminal

sexual contact case reported to law enforcement agencies be included in the information to be audited by the Attorney General and the county prosecutors; it is the committee's understanding that the burden on law enforcement agencies to report this information and on the Attorney General to review it outweighs this information's value;

2) clarify that when county prosecutors decline to prosecute, they provide the reasons for declining, further classified by categorical description; and

3) change references to "audit" to "report."