

SENATE, No. 3076

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED OCTOBER 22, 2020

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Co-Sponsored by:

Senator Pou

SYNOPSIS

Requires sexual assault training for prosecutors.

CURRENT VERSION OF TEXT

As introduced.



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

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:

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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 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
19 with expertise in trauma informed care and the New Jersey
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 f. The Attorney General shall be responsible for ensuring that
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 appointment. The division shall determine whether training in the
34 handling of sexual assault cases completed by a prosecutor
35 appointed prior to the effective date of P.L. c. (C.)
36 (pending before the Legislature as this bill) complies with the
37 requirements of this section. If the training does not comply with
38 these requirements, the prosecutor shall complete the training
39 course and curriculum required by this section within 60 days of the
40 effective date of P.L. c. (C.) (pending before the
41 Legislature as this bill).

42 h. The division shall develop an open process pursuant to
43 which the division will accept bids by organizations to assist in
44 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.

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)

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22 3. This act shall take effect on the first day of the fourth month
23 next following enactment.

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STATEMENT

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28 This bill requires the Division of Criminal Justice (DCJ) in the
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
36 prosecutor's offices in the State. The Attorney General is
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
42 trauma informed care and the New Jersey Coalition Against Sexual
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
2 appointed on the effective date of the bill has completed training in
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
6 will be required to complete the training course and curriculum
7 required by the bill within 60 days of the bill's effective date.

8 Finally, the bill requires the DCJ to develop an open process for
9 accepting bids by organizations wishing to assist in developing and
10 providing the training required by the bill.