



## Fact Sheet: The Survivor Act

The Standing Up for Rape Victims Act, or the Survivor Act, is new legislation to prioritize testing sexual assault kits in North Carolina.

### **Mandatory Submission Requirements for all Future Sexual Assault Evidence Collection Kits (SAECKs)**

- ✓ **Immediate Notification to Law Enforcement.** Requires that any entity that collects a SAECK notify law enforcement within 24 hours. Law enforcement then has 45 days for preliminary investigation, after which it is required to submit the SAECK to an accredited lab for testing.
- ✓ **Required Testing of All SAECKs.** Every reported SAECK submitted to a lab will be analyzed to develop DNA profiles that are eligible for entry into CODIS.

### **Mandatory Submission Requirements for Untested SAECKs Collected Prior to 1-1-18**

- ✓ **Review Teams.** The State Crime Lab's inventory found more than 15,000 untested SAECKs located throughout the state. The Survivor Act requires law enforcement agencies to establish review teams to survey their entire untested SAECK inventory to determine a priority submission order for testing. The review team will determine the order based upon a series of factors such as investigative value and CODIS potential. Once determined, the agency will notify the State Crime Lab.
- ✓ **Testing.** Requires the State Crime Lab to assist each law enforcement agency by coordinating outsourcing of kits to private labs as funds are available. When completed, this process will eliminate each agency's untested inventory.

### **CODIS**

- ✓ **CODIS Hit Follow-Up.** Requires any law enforcement agency that receives a CODIS hit to provide notice to the State Crime Lab within 15 days of an arrest in connection with the hit and within 15 days of a conviction in connection with the hit.

### **Resources to Test SAECK**

- ✓ **Testing.** Appropriates \$6,000,000 for testing the inventoried untested SAECKs statewide over the next two years.
- ✓ **Turnaround Times.** Appropriates \$800,000 in recurring funds to hire additional forensic scientists to test kits. These additional scientists will allow the State Crime Lab to test the increase in SAECKs submitted to the State Crime Lab.

This legislation is drafted and supported by Attorney General Josh Stein and sponsored by Sen. Warren Daniel and Reps. Jamie Boles, Carson Smith, Mary Belk, and Billy Richardson.