

California Department of Justice
DIVISION OF LAW ENFORCEMENT
Kevin Gardner, Chief



INFORMATION BULLETIN

| | | |
|---|----------------------------|---|
| <i>Subject:</i> New Mandatory Reporting Requirements for Law Enforcement Agencies and Local Public Laboratories when Sexual Assault Evidence Kits are Collected: Use of DOJ SAFE-T Database (PC 680.3, AB 41) | <i>No:</i> 2017-BFS-001 | <i>Contact for information:</i> <i>Bureau of Forensic Services</i> <i>Clardy Gooch</i> <i>(510) 620-3300</i> |
| | <i>Date:</i> 01/01/2018 | |

TO: All California Law Enforcement Agencies and Public Laboratories

Effective January 1, 2018, there are new mandatory reporting requirements for law enforcement agencies and public laboratories when a victim's sexual assault forensic evidence kit is collected in connection with a crime. This Bulletin provides a summary of the new requirements established by AB 41, adding section 680.3 to the Penal Code to track the statewide collection and testing of sexual assault evidence.

Reporting requirements for law enforcement agencies: Law enforcement agencies must enter tracking information for all victim sexual assault kits into the California Department of Justice, Sexual Assault Forensic Evidence Tracking ("SAFE-T") database, **within 120 days of kit collection.**

Reporting requirements for public laboratories: A public laboratory that does not perform DNA testing on sexual assault kit evidence within 120 days of kit receipt must provide the reason in the SAFE-T database, with updates required every 120 days until the evidence is tested.

Access to and training for the SAFE-T database: To apply for secure access to, or training on, the required SAFE-T database, email a request to SAFET@doj.ca.gov. The database uses a simple drop-down menu to facilitate submission and tabulation of required information for statistical reporting.

The SAFE-T database is confidential: The SAFE-T database does not contain DNA profiles or any other identifying information about a victim or a suspect. No agency can be compelled to provide its contents in any criminal or civil proceeding, except as required by *Brady v. Maryland*.

Reimbursement of costs: The bill creates a state-mandated local program so law enforcement agencies and public laboratories can seek reimbursement of costs.

Text of AB 41: For the full text of AB 41, see https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB41

Sincerely,

A handwritten signature in blue ink that reads "Kevin Gardner".

Kevin Gardner, Chief
Division of Law Enforcement

For XAVIER BECERRA
Attorney General