



State of New Jersey

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ATTORNEY GENERAL LAW ENFORCEMENT DIRECTIVE NO. 2025-01

TO: All Law Enforcement Chief Executives

FROM: Matthew J. Platkin, Attorney General

DATE: July 30, 2025

SUBJECT: **Implementing a Statewide Sexual Assault Forensic Examination (SAFE) Kit Tracking System**

This Directive is the latest in a package of data-driven policy reforms intended to better meet the needs of victims and survivors of sexual assault. The first of these reforms, Attorney General Law Enforcement Directive No. 2023-1: *Procedures and Guidelines for Law Enforcement Testing, Tracking, Storage, Retention, and Destruction of Sexual Assault Forensic Examination (SAFE) Kits*, was issued on March 13, 2023, and expanded the retention period for unreported SAFE Kits from five to twenty years, standardized kit storage and submission procedures, created a biannual SAFE Kit reporting requirement, and limited investigative discretion to defer testing of a submitted SAFE Kit.¹ On April 17, 2024, Attorney General Law Enforcement Directive 2024-2: *Expanding the Timeframe for Multidisciplinary Responses to Victims of Sexual Assault*, was issued, increasing the timeframe for a survivor to obtain a forensic exam from five to seven days post-assault, and in some cases longer.² A few months later, on August 20, 2024, Attorney General Law Enforcement Directive 2023-1 v2.0: *Amended Directive Establishing Procedures and Guidelines for Law Enforcement Testing, Tracking, Storage, Retention, and Destruction of Sexual Assault Forensic Examination (SAFE) Kits*, was issued requiring law enforcement to process every SAFE Kit obtained from a survivor who consents to testing.³ These Directives were informed by the Division of Criminal Justice's (DCJ) SAFE Kit Working Group, which was developed as a direct result of the Department of Law and Public Safety's expanded focus on supporting survivors of violent crimes as evidenced by the creation of the Division of Violence Intervention and Victim Assistance (VIVA) in 2022, as well as the expansion of data- and experience-

¹ https://www.nj.gov/oag/dcj/agguide/directives/ag-Directive-2023-1_Procedures-and-Guidelines-for-Law-Enforcement-Testing-Tracking-Storage-Retention-and-Destruction-of-Sexual-Assault-Forensic-Examination-SAFE-Kits.pdf

²https://www.nj.gov/oag/dcj/agguide/directives/ag-Directive-2024-02_Expanding-the-Timeframe-for-Multidisciplinary-Responses-to-Victims-of-Sexual-Assault.pdf

³ https://www.nj.gov/oag/dcj/agguide/directives/AG-Directive-2023-1_Amended-082024.pdf



informed policing policy, as evidenced by the creation of the Office of Justice Data (OJD) in 2022 and the Office of Policing Strategy and Innovation (OPSI) in 2024.

In 2023, DCJ, VIVA, and OJD partnered to apply for, and were granted, federal funding to create a Statewide SAFE Kit Tracking System, allowing for the tracking of every SAFE Kit collected in New Jersey, and providing law enforcement and policy-makers within the Office of the Attorney General with data on the collection, transport, testing, storage, and destruction of SAFE Kits. The new tracking system will increase transparency for survivors of sexual violence, allowing them to choose to follow the progress of their kits and receive updates on significant milestones during the investigation, as outlined in the Sexual Assault Victim's Bill of Rights, N.J.S.A. 52:4B-60.1 *et al.* In addition, it will advance law enforcement efforts to quickly identify serial sex offenders and enhance the ability of forensic scientists and police officers to adhere to the SAFE Kit testing requirements included in the aforementioned Law Enforcement Directives. The tracking system will not only expand transparency for survivors and advocates, it will inform future policy decisions of government officials and criminal justice leaders.

The Legislature and the Governor also recognized the benefits of creating a SAFE Kit Tracking System in New Jersey, enacting P.L. 2025, c.1 (N.J.S.A. 52:17B-245.1) on January 23, 2025, which mandated that the Attorney General establish a statewide system for the tracking of SAFE Kits, to be effective on August 1, 2025. Because these efforts were already underway, staff members from the Office of the Attorney General, DCJ, OJD, VIVA, the New Jersey State Police (NJSP), and the Prosecutor's Offices in Union and Hudson Counties, had already been collaborating regularly in order to establish this important system within the timeframe now mandated by the Attorney General and the Legislature.

Once operational, New Jersey's SAFE Kit Tracking System will allow survivors of sexual offenses to access the system via a Survivor's Portal, receive updates, and track their SAFE Kit as it advances from collection at a medical facility, transfer to a law enforcement agency, analysis at a forensic laboratory, and ultimately into secure storage for at least twenty years. Survivors may elect to receive notifications when a comparable DNA profile is developed from forensic laboratory testing of the evidence in their kit, when that DNA profile is uploaded to a database⁴ used for the retention and comparison of case evidence (e.g., CODIS⁵), and when that DNA profile is matched to another profile in the database. It is important to note that survivors may choose to have a forensic examination performed but elect not to report the sexual offense to law enforcement for investigation. SAFE Kits created under these circumstances are referred to as "HOLD Kits" and are safely stored for a period of twenty years, during which the survivor may choose at any time to issue consent for the forensic examination of the SAFE Kit. Survivors who have chosen this path will also have the ability to track the location of their kits in New Jersey's Statewide SAFE Kit Tracking System.

In order to accomplish our goals and make this system operational, multiple agencies came together to establish the process outlined herein. The system will require cooperation and participation from numerous agencies as each SAFE Kit is processed through the system. This Law Enforcement Directive establishes the duties and responsibilities of each of those agencies.

⁴ N.J.S.A. 52:17B-245.1 refers to "data bank," however most systems users refer to CODIS as a "database," which is the term used throughout this Directive.

⁵ CODIS is a national database of several indexes including DNA profiles from both known and unknown offenders and arrestees. CODIS stands for Combined DNA Index System.

Therefore, pursuant to the authority granted to me under the New Jersey Constitution and the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117, which provides for the general supervision of criminal justice by the Attorney General as chief law enforcement officer of the State in order to secure the benefits of a uniform and efficient enforcement of the criminal law and the administration of criminal justice throughout the State, I hereby direct all law enforcement and prosecuting agencies operating under the authority of the laws of the State of New Jersey to implement and comply with the provisions of this Directive.

I. Responsibilities of Participating Agencies, Organizations and Professionals

The successful operation of New Jersey's Statewide SAFE Kit Tracking System will require the ongoing cooperation and interaction of several agencies, organizations, and professionals. Each of these entities has already played an integral role in the establishment of the system and will continue to participate to ensure successful operation.

A. *Forensic Nurse Examiners (FNEs)*. Forensic Nurse Examiners, formerly referred to as Sexual Assault Nurse Examiners, or SANE Nurses, serve as one of the sexual assault survivor's initial contacts with New Jersey's multidisciplinary victim-centered support system. They are charged with conducting a Sexual Assault Medical Forensic Examination with the survivor, which may include the collection and preservation of specimens with potential evidential value. These specimens are collected and preserved in a manner that protects their integrity for potential use in a subsequent criminal sexual assault investigation. The specimens are preserved and stored in a SAFE Kit, utilizing the materials contained in the kit. Under the supervision of the County Prosecutor's Office, every county in New Jersey has an FNE Coordinator who supervises a team of highly trained FNEs operating within the county. The FNE Coordinator ensures that a nurse is available at all times to respond to medical facilities and assist sexual assault survivors. After the conclusion of the forensic examination, the responding FNE or the FNE Coordinator, consistent with the policy approved by the County Prosecutor, shall:

1. Select and complete a SAFE Kit Identification Form (SKIF), which will be used to identify the SAFE Kit in the tracking system. SKIFs will be supplied by DCJ, and each will display a unique tracking number (also known as a barcode number), as well as several labels containing the unique tracking number.
2. Remove a label containing the unique tracking number (barcode number) from the SKIF and affix the label to the SAFE Kit in the designated position on the side of the kit (top edge of the short/foot side).⁶ The tracking number will be used to identify and track the survivor's SAFE Kit in the statewide tracking system as it passes through various stages of the investigation process.⁷
3. Log into the New Jersey Statewide SAFE Kit Tracking System and select the file for the unique tracking number (barcode number) from the SKIF, which is now associated with

⁶ On new kits, the SAFE Kit manufacturer will be printing an instruction on the "top edge of the short/foot side" of the kit to designate the proper position to affix the SKIF label. Unexpired SAFE Kits manufactured before the issuance of this Directive will not identify this designated position on the box but may still be used. When these kits are used, FNEs should select the appropriate location on the TOP EDGE OF THE SHORT/FOOT SIDE of the kit for application of the SKIF identification label. It is important that the SKIF label's unique tracking number and barcode NEVER be covered by evidence tape or seals.

⁷ If a Drug Facilitated Sexual Assault Kit (DFSA Kit) has been utilized in the case, the FNE should affix one of the additional labels from the SKIF Form to the DFSA Kit, although the DFSA Kit will not be tracked in the statewide SAFE Kit Tracking System.

the kit and displayed on the now-affixed label.

4. Complete the required information for the kit in the Tracking System. Note that no personally-identifiable information (PII) will be stored in the Tracking System. The SAFE Kit will be identified solely by the unique tracking number (barcode number). The data fields include identification of the law enforcement agency that will take possession of the kit, which must be completed if the survivor has chosen to report the offense to law enforcement. Steps 3 and 4 should be completed by the FNE, or the FNE Coordinator, following the completion of the examination. These steps shall generally be completed before the kit is transferred to a law enforcement agency, and never later than noon on the next business day after the completion of the examination.
5. Tear off and provide the bottom portion of the SKIF to the survivor. The bottom portion of the form contains information on support services for the survivor. In addition, this portion of the SKIF includes a unique temporary password associated with the SAFE Kit's unique tracking number (barcode number) and instructions on accessing the Tracking System via the Survivor's Portal.
6. Follow existing county-specific protocols for notifying the responsible law enforcement agency that the SAFE Kit is complete and ready for pickup and transport to secure evidence storage.
7. If the SAFE Kit is a "HOLD Kit," which has not been released by the survivor for forensic examination, the FNE and the FNE Coordinator shall adhere to the county-specific policy, approved by the County Prosecutor, for the long-term storage of HOLD Kits. All HOLD Kits collected following the issuance of this Directive must have a unique tracking number (barcode number) from the SKIF affixed before submission to an authorized long-term storage facility. Authorized facilities shall not accept HOLD Kits that do not have the unique tracking number (barcode number) from the SKIF affixed, and should immediately notify the relevant County Prosecutor if an incomplete kit is received.

B. Law Enforcement Agencies. Law enforcement agencies, in addition to their traditional duties protecting survivors and investigating reports of sexual offenses, perform important functions related to the gathering, transportation, processing, protecting, and storing of physical evidence. Whenever a sexual assault survivor chooses to participate in a Sexual Assault Medical Forensic Examination and consents to the release of their SAFE Kit to law enforcement for forensic analysis, the law enforcement agency having jurisdiction and responsibility for the kit,⁸ shall:

1. Promptly respond to the medical facility where the SAFE Kit is located, or the location designated by the FNE, and take custody of the kit in accordance with any county-specific policy approved by the County Prosecutor. Law enforcement agencies should not take custody of SAFE Kits from FNEs unless the kit has the required label containing the unique tracking number (barcode number) from the SKIF affixed.
2. In certain cases, the survivor of a sexual assault committed in New Jersey may choose to seek treatment at a medical facility located in another state. As part of that treatment, much like the protocol in New Jersey, the medical facility may collect and preserve specimens with potential evidential value and store them in a SAFE Kit or

⁸ In certain counties, the County Prosecutor's Office or the County Sheriff's Office have been assigned the responsibility for taking custody of the SAFE Kit, in accordance with policy approved by the County Prosecutor.

similar container. These kits will need to be included in New Jersey's SAFE Kit Tracking System. Therefore, when a New Jersey law enforcement agency is advised that a kit collected out-of-state is available, and the survivor is choosing to report the offense to law enforcement, the New Jersey agency shall take possession of the kit from officials in the other state. The law enforcement agency shall contact the FNE Coordinator in the county where the offense occurred, obtain a SKIF from the Coordinator, and place a label containing the unique tracking number (barcode number) on the kit in the appropriate position as described in Section I.A.2. The agency shall also provide the survivor with the bottom portion of the SKIF as described in Section I.A.5. The agency shall then log into the Tracking System and continue the process as described below.

3. Log into the Tracking System, locate the details for the specific SAFE Kit using the unique tracking number (barcode number) assigned to the kit, and input the required information memorializing the transfer of the kit to temporary secure evidence storage pursuant to agency and/or county protocol.⁹
4. Secure the SAFE Kit into the temporary secure evidence storage.
5. As necessary, obtain the required pre-approval from the designated forensic laboratory for submission of the SAFE Kit to that laboratory for analysis, in accordance with the protocol prescribed by the designated forensic laboratory.¹⁰
6. Within **10 calendar days** of the survivor's Sexual Assault Medical Forensic Examination, deliver the SAFE Kit to the designated forensic laboratory and transfer custody of the kit to the laboratory.
7. Upon notification by the forensic laboratory that the SAFE Kit's scientific analysis has been completed, pick up the kit from the laboratory and transport it back to the facility designated for storage in the relevant agency or county, in accordance with county-specific or New Jersey State Police protocol.
8. Log into the Tracking System, locate the details for the SAFE Kit using the unique tracking number (barcode number) assigned to the kit, and input the required information memorializing the transfer of the kit from the forensic laboratory to the designated secure evidence storage facility.
9. In cases where the forensic laboratory has developed a DNA profile from the evidence that is foreign to the survivor; uploaded that profile to the database used for the retention and comparison of case evidence (e.g., CODIS); and obtained a match or "hit," the law enforcement agency shall incur additional responsibilities.
 - a. Upon receipt of the CODIS Investigative Hit Notification from the laboratory, the investigating law enforcement agency shall consult with the assigned prosecutor to determine whether the investigating law enforcement agency, assigned prosecutor, or an assigned victim/witness advocate shall explain to the survivor the relevance of the match or "hit." This decision regarding contact with the survivor shall be made **within 30 days of the issuance of the CODIS Investigative Hit Notification** by the laboratory.

⁹ In addition to the data entry requirements outlined in this Directive regarding the Statewide SAFE Kit Tracking System, agencies shall continue to comply with all existing county-specific or agency-specific requirements for the tracking of SAFE Kits. See the requirements of Section III.A of Directive 2023-1 v2.0, an *Amended Directive Establishing Procedures and Guidelines for Law Enforcement Testing, Tracking, Storage, Retention, and Destruction of Sexual Assault Forensic Examination (SAFE) Kits*. (https://www.nj.gov/oag/dcj/agguide/directives/AG-Directive-2023-1_Amended-082024.pdf). The Statewide SAFE Kit Tracking System SHALL NOT constitute the formal system for chain-of-custody tracking of the kit.

¹⁰ In New Jersey, SAFE Kits are analyzed at the New Jersey State Police, Office of Forensic Sciences; the Union County Prosecutor's Office Forensics Laboratory; and the Hudson County Prosecutor's Office DNA Laboratory.

- b. If a legitimate investigative reason exists to delay this notification to the survivor, the investigating agency, with the pre-approval of the County Prosecutor's Office, shall contact the Division of Criminal Justice CODIS Compliance Unit (CCU), advise the CCU that the survivor has not been notified, and request a delay in the entry of the DNA match into the Statewide SAFE Kit Tracking System.¹¹
 - c. Otherwise, the CCU, upon expiration of the 30-day time period, shall enter the match into the SAFE Kit Tracking System, which will generate an automatic notice of the match to the survivor via the Survivor Portal.
10. SAFE Kits collected on August 1, 2025 or later will be included in the Statewide SAFE Kit Tracking System; therefore, those kits do not need to be reported in the law enforcement agency's biannual report required by Section III.A of Directive 2023-1 v2.0, *Amended Directive Establishing Procedures and Guidelines for Law Enforcement Testing, Tracking, Storage, Retention, and Destruction of Sexual Assault Forensic Examination (SAFE) Kits*.
11. On occasion, survivors will need assistance resetting their passwords in the Track-Kit system. Law enforcement agencies shall assist survivors with this process. Administrative Users in the system, who have been established by each law enforcement agency, have the ability to reset survivor passwords. Specific instructions are available for these Administrative Users in the resources section of the SAFE Kit Tracking System.

C. Forensic Laboratories. Forensic laboratories receive SAFE Kits from investigating law enforcement agencies and perform scientific examinations designed to develop relevant evidence in furtherance of the criminal investigation. Forensic scientists shall follow all relevant guidance issued by laboratory directors and technical leaders, who are in the position to ensure that best practices are followed in conducting forensic examinations of evidence. In support of the New Jersey SAFE Kit Tracking System, once a law enforcement agency delivers a SAFE Kit to a forensic laboratory, as described in Section I.B.4 and I.B.5 of this Directive, the laboratory shall:

1. Log into the Tracking System, locate the details for the SAFE Kit using the unique tracking number (barcode number) assigned to the kit, and input the required information memorializing the transfer of the kit from the law enforcement agency to the forensic laboratory. Forensic laboratories shall not take custody of SAFE Kits from law enforcement agencies unless the kit has the required label containing the unique tracking number (barcode number) from the SKIF affixed.
2. Conduct the appropriate scientific testing of the evidence in the SAFE Kit, which may include serology testing and DNA testing.
3. When the testing is complete, the forensic laboratory shall log into the Tracking System, locate the details for the SAFE Kit using the unique tracking number (barcode number) assigned to the kit, and input the required information memorializing: the date of completion of laboratory testing (report date); an advisory that the kit is ready for pickup by law enforcement; and whether a comparable DNA profile was developed that is foreign to the survivor of the sexual offense. If a comparable DNA profile was developed that is foreign to the survivor, the forensic laboratory shall also make an entry into the Tracking System indicating that this information should now be released

¹¹ Law enforcement agencies may contact the DCJ CODIS Compliance Unit at codusunit@njdcj.org or (609) 292-1439.

to the survivor via the Survivor Portal of the Tracking System and whether that DNA profile satisfies the required eligibility criteria and was uploaded to the database used for the retention and comparison of case evidence (e.g., CODIS). If the DNA profile satisfies the required eligibility criteria and was uploaded to a database, the forensic laboratory shall also make an entry into the Tracking System indicating that this information should now be released to the survivor via the Survivor Portal of the tracking system.

4. Whenever the uploaded DNA profile matches a DNA profile contained in the database used for the retention and comparison of case evidence (e.g., CODIS), the forensic laboratory shall prepare a CODIS Investigative Hit Notification,¹² which shall be forwarded to the Division of Criminal Justice CODIS Compliance Unit and the appropriate law enforcement agency or agencies.¹³ This CODIS Investigative Hit Notification shall, in addition to relevant language determined by the laboratory, include the SAFE Kit's unique tracking number (barcode number) located on the affixed SKIF label, and shall direct the investigating law enforcement agency, after consultation with the assigned prosecutor as described in Section I.B.9 of this Directive, to facilitate contact with the survivor of the sexual offense within 30 days of the issuance of the CODIS Investigative Hit Notification to advise the survivor of the match or "hit" in the database. If a legitimate investigative reason exists to delay this notification to the survivor, the investigating agency, with the pre-approval of the County Prosecutor's Office, shall contact the DCJ CCU, advise that the survivor has not been notified, and request a delay in the entry of the match into the SAFE Kit Tracking System, to prevent the default notice to the survivor from issuing in the Tracking System.
5. Contact the investigating law enforcement agency and coordinate the pickup and return of the SAFE Kit for long-term storage.

D. Division of Criminal Justice, CODIS Compliance Unit. The CODIS Compliance Unit (CCU) in the Division of Criminal Justice oversees and monitors the state's DNA database, known as CODIS (see footnote 11 for CCU contact information). The unit trains and advises law enforcement agencies on proper DNA collection and use of CODIS matches, as well as ensuring compliance with New Jersey's DNA Database and Databank Act, N.J.S.A. 53:1-20.17 et al. In support of the New Jersey SAFE Kit Tracking System, the CCU shall:

1. Upon receipt of a CODIS Investigative Hit Notification from a forensic laboratory documenting a CODIS match, hold the hit notification for a period of 30 calendar days to allow the investigating law enforcement agency time to consult with the assigned prosecutor and determine steps to be taken to advise the survivor of the match in a trauma-informed way.
2. After the expiration of 30 days, if the investigating agency has not contacted the CCU and requested a delay in the entry of the match into the Statewide SAFE Kit Tracking

¹² CODIS Investigative Hit Notification is the term assigned by the New Jersey State Police Laboratory to refer to this form. The Union County Prosecutor's Office Forensics Laboratory and the Hudson County Prosecutor's Office DNA Laboratory may use similar forms, which shall include the SAFE Kit's unique tracking number (barcode number) and the notice to the investigating agency regarding notification to the survivor of the match within 30 calendar days, absent compelling reasons for delay pursuant to Sections I.B.9 and I.C.4.

¹³ The New Jersey State Police Laboratory shall also forward the CODIS Investigative Hit Notification to the State Police Regional Operations & Intelligence Center (ROIC).

System as outlined in Section I.B.9 above, the CCU shall log into the Tracking System, locate the details for the SAFE Kit using the unique tracking number (barcode number) assigned to the kit, and input the required information indicating that the uploaded DNA profile obtained from the analysis of the SAFE Kit matched a DNA profile contained in the database used for the retention and comparison of case evidence (e.g., CODIS). The CCU shall also make an entry into the Tracking System indicating that the match should now be released to the survivor via the Survivor Portal.

3. The CCU shall keep a record of all requests from law enforcement agencies to delay entry of the DNA match into the Statewide SAFE Kit Tracking System. The CCU shall report this data to the DCJ Director quarterly in a format prescribed by the Director.

E. ***Attorney General's Office of Justice Data (OJD)***. The OJD, created by Attorney General Administrative Directive No. 2022-02, is responsible for coordinating the Department of Law and Public Safety's various data-collection obligations and ensuring that appropriate data are made available to the public and the Attorney General in a timely, accessible, and responsible manner. OJD oversees a host of systems whereby County Prosecutors and law enforcement agencies report required data to the Attorney General. In support of the New Jersey SAFE Kit Tracking System, OJD shall:

1. Coordinate and manage outside vendors assisting in the administration of the Statewide SAFE Kit Tracking System for New Jersey.
2. Provide support to FNEs, law enforcement agencies, County Prosecutor's Offices, forensic laboratories, the DCJ CCU, and others, as needed, to ensure the efficient operation of the tracking system.
3. Have the authority to make internal adjustments to the system to facilitate efficient use for all users of the system and to maximize transparency for survivors of sexual assault.
4. As appropriate, provide reports to the Attorney General and the Director of DCJ on the data generated by the SAFE Kit Tracking System.

II. Other Provisions

- A. ***Non-enforceability by third parties***. This Directive is issued pursuant to the Attorney General's authority to ensure the uniform and efficient enforcement of the laws and administration of criminal justice throughout the state. This Directive imposes limitations on law enforcement agencies and officials that may be more restrictive than the limitations imposed under the United States and New Jersey Constitutions, and federal and state statutes and regulations. Nothing in this Directive shall be construed in any way to create any substantive right that may be enforced by any third party.
- B. ***Severability***. The provisions of this Directive shall be severable. If any phrase, clause, sentence or provision of this Directive is declared by a court of competent jurisdiction to be invalid, the validity of the remainder of the Directive shall not be affected.
- C. ***Questions***. Questions concerning this Directive shall be addressed to the Director of DCJ, or their designee.
- D. ***Effective date***. New Jersey's SAFE Kit Tracking System shall be operational on August 1, 2025.

In order to ensure an orderly and efficient launch, the twenty-one counties will be onboarded into the system in accordance with a rolling schedule announced by the Director of DCJ, working in cooperation with the OJD. On the date established for each county by the Director, all provisions of this Directive shall become fully effective for personnel investigating cases arising within that particular county. All twenty-one counties shall be onboarded into the Tracking System by no later than August 29, 2025.



Matthew J. Platkin
Attorney General

ATTEST:



Lyndsay V. Ruotolo
First Assistant Attorney General

Dated: July 30, 2025