

CHAPTER 19 – STATEWIDE SEXUAL ASSAULT EVIDENCE COLLECTION KIT TRACKING SYSTEM

SUBCHAPTER 19A – GENERAL PROVISIONS

14B NCAC 19A .0101 SCOPE

The rules in this Chapter are applicable to persons or entities in the State that have custody of any sexual assault evidence collection kits, including medical service providers, law enforcement agencies, forensic laboratories, and the Department of Public Safety Law Enforcement Support Services.

History Note: Authority G.S. 114-65;
Eff. April 1, 2021.

14B NCAC 19A .0102 DEFINITIONS

As used in this Chapter:

- (1) "Covered entity" means an agency, medical facility, or medical professional, person, or entity subject to the System tracking requirements.
- (2) "Director" means the Director of the North Carolina State Crime Laboratory.
- (3) "Forensic laboratory" means a person, agency, or department that takes custody of a sexual assault evidence collection kit for purposes of conducting forensic testing.
- (4) "Forensic medical examination" means an examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law and includes collection and evaluation of physical evidence.
- (5) "Kit" or "sexual assault evidence collection kit" means a prepared kit used to conduct a forensic medical examination.
- (6) "Law enforcement agency" means any police department, sheriff's office, campus police department, or any other person, agency, or department investigating a reported sexual assault for which a sexual assault evidence collection kit has been utilized by a medical service provider or that is taking possession of or storing an unreported or anonymous sexual assault evidence collection kit.
- (7) "Medical service provider" means a medical facility or medical professional in the State who administers a forensic medical examination using a sexual assault evidence collection kit.
- (8) "Previously untested kit" means a sexual assault evidence collection kit used in a forensic medical examination that has not undergone forensic testing and was identified and included in the 2017 Statewide inventory.
- (9) "Statewide System Administrator" means an employee of the North Carolina State Crime Laboratory who has responsibility for the overall administrative functions of the System, including providing assistance to covered entities, training all covered entities, making corrections in the system, and generating data reports for the Director's annual tracking report to the Joint Legislative Oversight Committee on Justice and Public Safety.
- (10) "System" means Sexual Assault Evidence Collection Kit Tracking and Inventory Management System (STIMS).
- (11) "System guidelines" means the guidelines published by the Director of the North Carolina State Crime Laboratory for use by covered entities.

History Note: Authority G.S. 114-65; 143B-1200;
Eff. April 1, 2021.

14B NCAC 19A .0103 STATEWIDE SYSTEM ADMINISTRATOR DESIGNATION

- (a) The System shall be administered by the Statewide System Administrator.
- (b) The Statewide System Administrator shall:
 - (1) grant System access to each covered entity;
 - (2) provide training on the System and technical assistance to all local administrators; and
 - (3) keep a log of all notifications for entities out of compliance with the rules of this Chapter.
- (c) The Statewide System Administrator contact information is NCSTIMS@ncdoj.gov.

History Note: Authority G.S. 114-65;
Eff. April 1, 2021.

14B NCAC 19A .0104 COVERED ENTITY SYSTEM ACCESS; LOCAL ADMINISTRATORS

(a) Each covered entity shall access the System and require that its users are trained to enter kit information data in the System.

(b) Each covered entity shall designate a local administrator, who shall provide his or her contact information to the Statewide System Administrator in writing, by mail, hand delivery, or email. The address for the State System Administrator is the State Crime Lab, 121 East Tryon Road, Raleigh, NC 27603. If a covered entity changes its local administrator or contact information for its local administrator, the covered entity shall update the System administrative information and provide written notice of the change to the Statewide System Administrator within 10 business days.

(c) The local administrator shall report any issues requiring technical support to the Statewide System Administrator within two business days at NCSTIMS@ncdoj.gov.

History Note: Authority G.S. 114-65;
Eff. April 1, 2021.