

**Josh Kaul**  
**Wisconsin Attorney General**



**P.O. Box 7857**  
**Madison, WI 53707-7857**

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**NEWS FOR IMMEDIATE RELEASE**

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**Bipartisan Group of Legislators and AG Kaul Propose Legislation to  
Prevent Future Backlog of Untested Sexual Assault Kits**

MADISON, Wis. – Attorney General Josh Kaul and bipartisan bill authors, Sen. Rob Cowles, Sen. Patty Schachtner, Rep. John Macco, Rep. Melissa Sargent, and Rep. David Steffen, and today proposed legislation designed to prevent a future backlog of untested sexual assault kits.

“The legislation we’re proposing today, which is supported by nurses, law enforcement, advocates for survivors, and a bipartisan group of legislators, sends a clear message: Wisconsin must never have another backlog of untested sexual assault kits,” said Attorney General Kaul.

“Backlogs and bureaucracy should never be a barrier to justice,” said Rep. David Steffen (R-Green Bay). “Sexual assault victims deserve a more effective and efficient system than that, and today, we are taking a major step forward in delivering it.”

Rep. Melissa Sargent (D-Madison) added, “The prevention of a future backlog of untested sexual assault kits is a crucial step in supporting survivors of sexual violence, and ensures a procedure that upholds survivors’ dignity and their right to a fair and just process. Not only does this legislation work to create and codify procedure that honors survivors and ensures their ability to have sexual assault kits be collected, processed, and stored in appropriate time frames, but it protects those who do not choose to report at the time of an assault or who change their mind. Reporting can be one of the most challenging steps, and survivors deserve to have the respect to report when they are ready- storing kits for the time frame specified in this legislation takes into account the traumatic nature of sexual assault, and provides this necessary respect. Preventing the future backlog of untested sexual assault kits

is imperative, and I am proud to stand with my colleagues and Attorney General Kaul here today to support survivors.”

“The rape kit testing backlog accumulated through decades of failures to properly handle this evidence. Thankfully, through pursuing an aggressive kit testing protocol, the backlog has now been cleared. I’m proud to be standing with my legislative colleagues, law enforcement, sexual assault victim advocates, and the Attorney General today to introduce legislation that creates a statutory safeguard to ensure that this crucial evidence will follow new guidelines to prevent the circumstances that occurred in the past,” said Sen. Rob Cowles (R-Green Bay).

“As the medical examiner in St. Croix County, I value the quality and integrity of the work completed at our state crime labs,” said Sen. Patty Schachtner (D-Somerset). “These bipartisan reforms will help protect the integrity of our criminal justice system and ensure that survivors of sexual assault are not re-victimized by preventable delays and backlogs.”

Under current law there is no clear statutory procedure for the collection and processing of sexual assault kits. This lack of a standard process has resulted in thousands of kits not being submitted to the state crime laboratory for testing until recent state and national efforts. The proposed legislation creates procedures that will prevent a backlog in the future.

“We are excited to support this proposed legislation, which provides victims of sexual assault an avenue to provide vital DNA evidence while retaining the ability to decide if they want to report the incident to law enforcement. The bill contains appropriate oversight and accountability for sexual assault kits, which preserves law enforcement’s ability to investigate and identify sexual assault offenders, many of whom victimize again and again,” said Beloit Police Chief David Zibolski.

“We are pleased to support this legislation, which is vital step in ensuring Wisconsin does not experience a backlog of sexual assault kits in the future,” stated Pennie Meyers, Executive Director of the Wisconsin Coalition Against Sexual Assault. “This legislation also provides sexual assault survivors with options regarding engaging with the criminal justice system, including the ability to have a sexual assault kit collected and stored at the crime lab for testing should they decide later to report to law enforcement. April is Sexual Assault Awareness Month, and we would like to thank Attorney General Kaul and the bipartisan group of legislators for introducing legislation that places survivors’ interests at the forefront.”

Under the bill, when a health care professional collects sexual assault evidence, a victim will have the choice to report to law enforcement or not. If the victim chooses

not to report to law enforcement, the health care professional will send the kit to the state crime laboratories for storage within 72 hours. The crime lab will then store the kit for up to 10 years, or until the victim decides to report to law enforcement. This feature of the bill provides the sexual assault survivor with options in the event they change their mind about reporting.

"The Wisconsin Chapter of the International Association of Forensic Nurses supports legislation in the state that focus on the timely and patient centered process for the collection and processing of forensic evidence collection kits. We also support any initiative that provides compassionate, timely, supportive and standardized care for victims of violence and maintains the safety of healthcare workers who provide these services to this patient population," said Jamie Counsell-Baker, president of the Wisconsin Chapter of the International Association of Forensic Nurses.

If a victim does choose to report to law enforcement, under the proposed legislation the health care professional will notify law enforcement within 24 hours after collecting the sexual assault kit. The law enforcement agency then has 72 hours to collect the kit from the health care professional, and then 14 days to send the kit to the state crime laboratories for analysis.

The bill would also enable the Wisconsin Department of Justice (DOJ) to collect valuable information on sexual assault kits to better inform future evidence-based analysis and policy making.

April is Sexual Assault Awareness Month.

[Read the proposed legislation.](#)