



WISCONSIN LEGISLATURE

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State Representatives Steffen and Macco to Draft Legislation to Ensure Prompt Processing of Sexual Assault Kits

Green Bay... Today, Representatives David Steffen (R-Howard) and John Macco (R-Ledgeview) held a press conference announcing their intention to draft legislation in support of Attorney General Brad Schimel's request for Wisconsin police departments and hospitals to submit sexual assault kits to the state crime lab for processing in a more consistent and expeditious manner.

"Earlier this year, Attorney General Brad Schimel announced that the State completed testing on thousands of previously unsubmitted sexual assault kits that had accumulated for many years while in the possession of local law enforcement agencies and hospitals. In fact, some of the kits date back to the 1980s. We are thankful to Attorney General Brad Schimel for streamlining the process, standardizing the kits and completing the testing of all of the kits that should have originally been tested. We need to ensure that all sexual assault kits are processed promptly in the future," stated Rep. Steffen.

"We owe it to sexual assault survivors and their families to ensure that local law enforcement and hospitals submit sexual assault kits to the state crime lab quickly in order to fully integrate them into the Department of Justice's (DOJ) testing process and avoid any unnecessary delays. Until recently, a survivor of a sexual assault who decided to have evidence collected via a sexual assault kit had only two options: report the assault to law enforcement immediately or decide not to report the assault and have the kit destroyed. Fortunately, with recent DOJ policy changes, sexual assault survivors now have another alternative – have a sexual assault kit stored at the crime lab for at least 10 years. Based on what has been learned about an individual's response to a traumatic situation, sexual assault survivors need to have adequate time to emotionally process the event and make the difficult decision whether to press criminal charges or not. New DOJ policy now allows survivors to store their kit at the state crime lab for at least 10 years, which provides survivors with the option of pressing charges at a later time. According to the DOJ, hundreds of sexual assault survivors have taken this new option of storing their kit at the state crime lab," stated Rep. Macco.

Continued Rep. Macco, “Our legislation codifies this existing DOJ policy. Not only does our legislation allow a sexual assault kit to be stored at the state crime lab for at least 10 years, it will require hospitals to submit such kits to the state crime lab within 72 hours of compiling the evidence, should the survivor not wish to press charges at that time. Survivors will also be able to track the testing status of the kits to ensure accountability. It is imperative for us to ensure the rights of victims so that perpetrators can be brought to justice.”

“Identifying, inventorying, and collecting more than 6,000 previously unsubmitted sexual assault kits has taught the criminal justice system a lot about what survivors need most, and why kits are collected and tested,” said Attorney General Brad Schimel. “Now, we will take that data and knowledge and continue to work with legislators, law enforcement, survivors, sexual assault nurse examiners and advocates to make much needed reforms in state statutes. This legislation will provide survivors certainty; certainty that from the moment a kit is collected at the hospital, the criminal justice system is ready and designed to provide the best trauma-informed response available.”

This legislation is expected to be introduced in January 2019, when the Assembly reconvenes for the 2019-2020 session. Rep. Steffen will be the author of the bill and Rep. Macco will be an original co-author of this legislation.

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