

Dept. of Justice: Celebrates implementation of sexual assault kit legislation

Posted on Wednesday, Jun 29, 2022

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

MADISON, Wis. – The Wisconsin Department of Justice (DOJ) today announced that legislation designed to prevent a future backlog of untested sexual assault kits will go into effect on Friday, July 1, 2022. [2021 Wisconsin Act 116](#) seeks to ensure that sexual assault kits in Wisconsin are collected and sent to the Wisconsin State Crime Labs in an efficient and expedient manner.

“Testing sexual assault kits can lead to the identification of violent criminals, helping to get justice for survivors and making our communities safer,” said AG Kaul. “This law will help ensure that Wisconsin never has another backlog of untested sexual assault kits.”

Prior to this legislation, there was no clear statutory procedure for the collection, processing, and retention of sexual assault kits. This lack of a standardized process contributed to thousands of kits not being submitted to the state crime laboratory for analysis until recent state and national efforts. This new law creates procedures that will help prevent a backlog in the future.

With these changes, 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.

If a victim does choose to report to law enforcement, 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 legislation also provides for DOJ to collect valuable information on sexual assault kits to better inform future evidence-based analysis and policy making.

Additionally, DOJ will hold a public hearing on the [emergency rule](#) relating to the storage and processing of sexual assault kits at the time and place shown below:

Date: July 6, 2022

Time: 10 a.m. to Noon

Location: Zoom

Meeting ID: 161 042 9762

Passcode: 9gnp1\$Nz