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Representative David Murphy
Room 318 North, State Capitol
2 East Main Street
Madison, WI 53702

Honorable Representative Murphy,

The Joyful Heart Foundation strongly supports Assembly Bill 236, a bill that ensures that sexual assault survivors have meaningful rights and access to critical information that can help them heal. To date, 35 states and Washington D.C. grant survivors the right to know the status of their kits.

Every 68 seconds, someone is sexually assaulted in the United States. In 2023 alone, 3657 rapes were reported to the police in Wisconsin. In the immediate aftermath of a sexual assault, a victim may choose to undergo a medical forensic examination to collect DNA evidence left behind in the assault. A doctor or nurse will conduct the examination, which can last between four and six hours. The examiner collects and preserves this evidence in a sexual assault evidence kit, often referred to as a rape kit.

Most survivors, after leaving the hospital, are never contacted about the status of their rape kit. Our [2016 research](#) in victim notification found that, for survivors who want to know about their case, not having access to such information can severely hamper recovery. Survivors in our study strongly asserted that information about their case “belongs” to them and limiting access to information is “unacceptable and misguided.” Access to information about the status and location of their rape kits can help survivors counter the loss of self-determination and control that is often at the core of a sexual assault experience.

The notification language in Chapter 950 of the Wisconsin law does not specifically cover this right. Despite the tracking system, some survivors may not feel safe checking the status of their kits online, especially if they cohabit with the offender, are stalked, or do not have the technology skills due to age or disability. Survivors should have the right to know the status and location of their kit, whether by calling or walking into their local precinct. The victim’s right to know language in the bill would respond to the different needs of survivors and ensure their access to crucial information regardless of their secure and safe access to the online tracking system.

The current bill does not specify which agency is supposed to notify the victim about their rape kit, leading to concerns at the crime lab. In alignment with best practices across the

country, we recommend adding law enforcement and prosecutorial agencies as the agencies to notify the victims. See below for the suggested change:

“SECTION 2. 950.04 (1v) (dm)

2. To be provided, by the police agency, prosecutorial agency and other law enforcement agency with jurisdiction over a sexual offense, upon request by the victim and in a manner designated by the victim, ... “

Wisconsin has been an exemplary state in terms of improving the way rape kits are handled, having adopted five of Joyful Heart Foundation’s six pillars of rape kit reform. See www.endthebacklog.org/Wisconsin. The state carried a one-time inventory of untested kits in 2014, and ended the backlog of kits found in this inventory in 2021. The state established mandatory rape kit handling timelines, and allocated \$400,000 to implement a rape kit tracking system in 2021, which went live in 2022. AB236 would give the state Joyful Heart’s last pillar of comprehensive rape kit reform, by granting survivors the right to know the status and location of their rape kits.

The Joyful Heart Foundation thanks you for your leadership and efforts to bring a path to justice and healing to all sexual assault survivors in Wisconsin. We stand ready to assist you in enacting these necessary reforms.

Sincerely,

Burcu Sagioglu, MPP
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