2003 ASSEMBLY BILL 652

1	AN ACT to create 950.04 (1v) (dL) and 968.265 of the statutes; relating to: lie
2	detector tests of sexual assault victims.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1g. 950.04 (1v) (dL) of the statutes is created to read:

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950.04 **(1v)** (dL) To not be the subject of a law enforcement officer's or district attorney's order, request, or suggestion that he or she submit to a test using a lie detector, as defined in s. 111.37 (1) (b), if he or she claims to have been the victim of a sexual assault under s. 940.22 (2), 940.225, or 948.02 (1) or (2), except as permitted under s. 968.265.

Section 1r. 968.265 of the statutes is created to read:

968.265 Lie detector tests; sexual assault victims. (1) In this section, "lie detector" has the meaning given in s. 111.37 (1) (b).

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Section 1r

- (2) If a person reports to a law enforcement officer that he or she was the victim of an offense under s. 940.22 (2), 940.225, or 948.02 (1) or (2), no law enforcement officer may in connection with the report order, request, or suggest that the person submit to a test using a lie detector, or provide the person information regarding tests using lie detectors unless the person requests information regarding tests using lie detectors.
- **(3)** If a person reports to a district attorney that he or she was the victim of an offense under s. 940.22 (2), 940.225, or 948.02 (1) or (2), no district attorney may do any of the following in connection with the report:
 - (a) Order that the person submit to a test using a lie detector.
- (b) Suggest or request that the person submit to a test using a lie detector without first providing the person with notice and an explanation of his or her right not to submit to such a test.

14 (END)