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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<b>2003 Wisconsin Act 224</b> [2003 Assembly Bill 652]	<b>Lie Detector Tests for Sexual Assault Victims</b>
2003 Acts: <a href="http://www.legis.state.wi.us/2003/data/acts/">www.legis.state.wi.us/2003/data/acts/</a>	Act Memos: <a href="http://www.legis.state.wi.us/lc/act_memo/act_memo.htm">www.legis.state.wi.us/lc/act_memo/act_memo.htm</a>

2003 Wisconsin Act 224 generally prohibits a law enforcement officer or district attorney (DA) from ordering a person who reports that he or she was a victim of sexual assault to submit to a lie detector test.

Under the Act, if a person reports to a law enforcement officer that he or she was the victim of sexual exploitation by a therapist, sexual assault, or sexual assault of a child, the law enforcement officer may not order, request, or suggest that the person submit to a lie detector test in connection with the report, or provide the person information regarding lie detector tests unless the person requests such information.

If a person reports a sexual assault crime to a DA, as described above, the DA may not order that the person submit to a lie detector test. In addition, the DA may not suggest or request that the person submit to a lie detector test without first providing the person with notice and an explanation of his or her right not to submit to such a test.

The Act also creates a provision in the statutory bill of rights for victims under which a victim has a right not to be the subject of a law enforcement officer's or DA's order, request, or suggestion that he or she submit to a lie detector test if he or she claims to have been the victim of a sexual assault, except as permitted in provisions described above.

**Effective Date:** Act 224 becomes effective on April 27, 2004.

**Prepared by:** Anne Sappenfield, Senior Staff Attorney

May 6, 2004

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.