DAVE MURPHY

State Representative • 56th Assembly District

Assembly Committee on Criminal Justice and Public Safety
Public Hearing, September 10, 2025
Assembly Bill 236
Testimony of State Representative Dave Murphy

Chairman Spiros and members of the Committee on Criminal Justice and Public Safety,

Thank you for holding this hearing today on Assembly Bill 236, the Bipartisan Sexual Assault Survivors Act Bill of Rights. I appreciate the opportunity to speak in support of this important legislation, which I believe will add critical enforcement mechanisms to the time limit requirements for processing sexual assault kits.

I want to highlight that 2023 Wisconsin Act 58, which took effect on July 1 last year, established a six-month deadline for processing sexual assault kits. Unfortunately, it lacked any enforceable mechanism to ensure compliance. When the Wisconsin Legislative Audit Bureau released its review of the Wisconsin Crime Lab last June, I was deeply concerned to learn that, of the 146 kits sent to private labs requiring further Department of Justice analysis, nearly all took longer than six months. The median processing time was 292 days, raising serious doubts about whether the Department of Justice can meet these new legal standards.

This legislation is strongly supported by the national sexual assault survivor advocacy group RISE. This bill will establish rights under Wisconsin's Bill of Rights for Victims and Witnesses, specifically for sexual assault victims who provide rape kits as evidence of their attacks. In line with our obligations under Wisconsin's adopted "Marsy's Law" Constitutional Amendment, I believe AB 236 addresses enforceability concerns by empowering victims to petition the Wisconsin Crime Victims' Rights Board (CVRB) if testing timelines are not met. The CVRB, as the state's victim rights enforcement body, is an independent, quasi-judicial entity with the legislative authority to issue sanctions for violations of statutory or constitutional victim rights by public officials, agencies, or employees.

The specific rights I propose to add for sexual assault victims are:

1. The right to have their kit tested in accordance with statutory timelines.
2. Upon request, the right to be informed of the location, testing date, and results of their sexual assault kit.
3. Upon request, the right to be informed whether a DNA analysis has been performed, and if so, whether a DNA profile has been developed and compared to profiles of known individuals.
4. Upon request, the right to be informed of the estimated destruction date of their sexual assault kit.
5. The right to be informed of any change in the status of their case, including if it has been closed or reopened.

I strongly urge this committee to advance AB 236 and support the survivors of sexual assault. Thank you for your time and consideration—I look forward to your questions.

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Testimony before the Assembly Committee on Criminal Justice and Public Safety

Senator André Jacque

Assembly Bill 236
September 10, 2025

Chairman Spiros and Committee Members:

Thank you for holding this hearing and the opportunity to provide written testimony in support of Assembly Bill 236, bipartisan legislation authored in partnership with Rep. Dave Murphy that will result in Wisconsin joining over 20 states in the country to pass a "Sexual Assault Survivor Bill of Rights."

The Sexual Assault Survivor Bill of Rights has been developed at the request of and with strong support from the national sexual assault victim rights group RISE and its state affiliate members, and is an updated version of the proposal which I originally introduced as 2019 Senate Bill 326.

In 2023, Wisconsin Act 58 became law, which mandated that sexual assault kits must be processed within six months. Unfortunately, the law lacked an effective enforcement mechanism to ensure those kits were processed within the required timeframe. A review of the Legislative Audit Bureau from June of last year found that of 146 kits the Department of Justice was required to send to private labs, nearly all took longer than six months to process, with a median processing time of 292 days.

In order to provide victims of sexual assault with a concrete guarantee that Wisconsin will fulfill its obligations under state law, Assembly Bill 236 was drafted so that victims can petition the WI Crime Victims Rights Board (CVRB) if the testing timelines are not being met. The CVRB is the state's victim rights enforcement body which has legislative authority to issue sanctions for violations of statutory or constitutional victim rights by public officials, agencies or employees.

Additionally, the Sexual Assault Survivor Bill of Rights requires that information on the location, testing date and results of a sexual assault kit be made available to victims- basic expectations that align statutory protections with constitutional guarantees already established under Marsy's law. If a DNA analysis has been performed on a kit, the state must make that information available, along with whether a profile has emerged as a result of testing. Upon request, the victim must be informed of when the estimated destruction of the kit will occur, and informed about any change in the status of their case.

As a state, it is critical that we provide sexual assault victims with the confidence that their cases will be quickly and responsibly handled. We must provide victims with timely and relevant information on their cases during testing, and do everything in our power to be responsive to victims throughout the process. Statutorily establishing these rights will help ensure victims of sexual violence are accorded the dignity, respect and ability to pursue justice that they deserve. I thank you for your consideration of Assembly Bill 236 and ask for your support.

Written Testimony in Support of AB 236

Amanda Nguyen

My name is Amanda Nguyen. On the day that I was raped, I never could have imagined that a greater injustice awaited me than the one I had already been forced to endure. As a child, I had learned to believe in the well-worn credos of our legal system—that we all had access to justice, that our civil rights were sacrosanct, and that everyone was equal under law. But in the wake of my assault, I came to understand just how hollow those words can feel to a survivor seeking justice and compassion.

In the course of pursuing my own case, I ran into roadblock after roadblock—and discovered that my path was all too familiar to millions of Americans. Forensic evidence sitting on shelves, their whereabouts unknown to the survivors whose bodies provided that evidence. Cases being closed or pursued without a word to the survivor as to why. Kuts not being tested for months while survivors sit and wait patiently to hear back any word on what might come next in their pursuit of justcis. Shortfalls and irregularities in every state; symptoms of a broken promise that has left far too many survivors—already reeling from one betrayal—feeling powerless, invisible, betrayed for a second time.

I refused to be invisible—so I charted a new path. I rewrote the law, working with members of Congress, to draft a Sexual Assault Survivors' Bill of Rights. The Bill would earn the distinction of being one of the few pieces of legislation passed unanimously by Congress in recent memory. More importantly, it codified a set of basic, comprehensive civil rights for more than 25 million rape survivors across the country.

Though I never imagined the challenges I would face after my assault, nor did I imagine the power, the progress, and the hope that would arise from my ordeal. I created a non-profit called Rise to teach other survivors how to pen their own rights into existence—and to carry our success in Congress out into the fifty states, where most rape cases are adjudicated. To date, our team has worked with local survivors to secure the passage of over 75 laws, with more on the way. Because most rape cases are adjudicated in state courts it is necessary for these rights to be passed on to state by state level in the United States. I ask each of you sitting here today to help bring justice to survivors in Wisonsin. I ask that you understand the incredible movement we have created together and that through our shared common humanity we can make a difference across not only America.

Access to justice is a necessary prerequisite to true peace. Their lives are the invisible war zones that corrode human potential and hold back the promise of a just world. Their powerlessness is our shame., This is a peace that we all - legislator, citizen, advocate from any corner of the globe - can help deliver. We can hold a light up to this darkest corner of human experience, and allow survivors at last to be seen,

to be heard, to be believed, to be empowered.

Flannery Houston

Chair Spiros, Vice Chair Piwowarczyk, and Members of the Assembly Committee on Criminal Justice and Public Safety, thank you for hearing my testimony today. My name is Flannery Houston and I am the Chief Program Officer with Rise, a nonprofit organization that advocates for the rights of sexual assault survivors throughout the country.

10 years ago, I was sexually assaulted by a man I was dating. It was this life altering trauma that has set me on the path to do the work I do today. Throughout my time healing, volunteering with and now working full time advocating for survivors and their rights, I have gotten to know survivors and allies all over the country. I have gotten to hear their stories and share mine. Two key common threads I hear about over and over again that I share myself are isolation and fear.

The isolation is almost immediate, and without support can last for what seems like an eternity. Even though half of women and 1 in 3 men report experiencing sexual violence sometime in their lives, the feelings of being completely alone in the aftermath of a sexual assault can be all encompassing.

The fear may come in waves and from all different directions- the fear of not being believed, the fear of being told it was your fault because you were dressed a certain way, or acted a certain way. Fear also stems from simply not knowing where your evidence is or what is happening with your case- of being kept in the dark.

But there are legislative means to help survivors not feel quite as isolated and help them not feel quite as scared.

You have the opportunity right now, this year, to join other states throughout the country in protecting the rights of survivors and ensuring they have the right to information about their evidence including its location, testing date and testing results. Including the right to be informed about the status of their case To date, over 35 other states have passed legislation protecting a survivor's right to information about their evidence. 35 other states are ensuring that survivors feel less isolated and fearful and have a stronger system of support in the aftermath of violent trauma.

Protections for survivors not only ensure the criminal justice system is more trauma-informed, and less re-victimizing, they help ensure that survivors feel more empowered to come forward and report the violence they have experienced. Had these protections been offered to me 10 years ago, I would have felt more empowered to come forward and report my assault. Survivors are left to navigate a confusing and opaque law enforcement and judicial system on their own -- while at their most vulnerable. AB236 ensures that survivors of sexual assault will have the support of the criminal justice system that I never

did. This bill will provide vital protections to more than 1.8 million survivors in Wisconsin. Please pass this bill. Thank you.

Leslie McFadden

Chair Spiros, Vice Chair Piwowarczyk, and Honorable Members of the Assembly Committee on Criminal Justice and Public Safety,

I'm writing today in favor of Assembly Bill 236.

As a survivor, I had to repeatedly call the police to get updates on whether my sexual assault forensic evidence kit had been tested. Each time I called, I had to talk to a total stranger and explain why this test deserved to be tested, which only exacerbated my trauma.

It shouldn't have to be that way.

Assembly Bill 236, recently introduced by Representative David Murphy, would guarantee that all survivors have the right to get their kit tested within statutory timelines, are kept informed of its location, testing date and test results, and are notified before their kit is destroyed.

Passing AB 236 is a critical first step to ensure basic rights for the 1.8 million survivors in Wisconsin. I urge you to join me in supporting and passing this bill.

SIncerely,

Leslie McFadden
Survivor and Rise volunteer advocate

Britney Lane

My name is Britney Lane, and I am here to today as a sexual assault survivor fighting for the human rights of thousands of Wisconsin assault survivors. Most lawmakers and citizens are surprised when they find out basic rights for survivors are not always there. But when you go through the experience of an assault, you understand how broken the system is.

I was assaulted on November 2, 2019 by a coworker during a night out with friends. I repeated my story over and over that day starting with local police and ending with staff from two different hospitals. Following giving my statement to police, I went to have a rape kit done. I was immediately brought into a triage room and then transferred to a private room in the ER. I was seen by a doctor who then called for a

nurse who was trained to complete rape kits. While I was waiting, nurses came in and took labs to test for drugs and STDs

I waited for three hours to find that they could not find a nurse to complete the kit. The hospital sent me to another hospital. Their staff took me in immediately and completed my rape kit. All of the labs that the nurses took went into my rape kit. This kit would not be tested unless I pressed charges against my assailant. I was advised against pressing charges at the time by the officer that took my statement because there was likely not enough evidence. Due to this, my rap kit still sits on a shelf untouched. Weeks later, I called the first hospital to find my lab results that they had run. I learned that they never ran the labs that were ordered. To this day, I do not know what those lab results say.

This is why this bill is so important. This bill was written by and for survivors. We need to be informed of our rights from the very beginning- be informed of where our evidence is and what the results of testing that evidence might reveal. I can't change what happened to me, but I can work to change the system to ensure no one is failed by the system. No person should ever feel in the dark about what happened to them. This is possibly the only form of justice I will ever see from the system. Changing the system from within is my justice. It means so much to me that important decision makers like yourself are listening. Thank you all for giving survivors a voice and thank you for listening to my testimony.

Chair Spiros, Vice Chair Piwowarczyk, and Honorable Members of the Assembly Committee on Criminal Justice and Public Safety, I am testifying in writing today in favor of Assembly Bill 236.

As a woman born and raised in Wisconsin, I can personally attest to how critical it is that sexual assault survivors have resources available to help them get the justice and support they deserve in the State of Wisconsin. I was a victim of sexual abuse when I was 8 years old. I was a female child who had no one to turn to who could help me recover from this abuse. I grew up with the message that women and children, especially female children, had no rights or value. I grew up with domestic violence, abuse, alcoholism, etc. I honestly didn't realize that my "normal" wasn't normal at all until I spent overnight sleepovers at the homes of my friends.

When I graduated from Whitewater High School I continued to work in a family-owned store in Fort Atkinson. I was eventually hired as a public safety telecommunicator for the Fort Atkinson Police Department in 1983. Despite my family reputation in Fort Atkinson, Chief William Ciske hired me and quite literally changed my life with that decision. In 1985 I was one of the first 4 dispatchers hired for the Dickinson County Sheriff's Department in Iron Mountain, Michigan. I eventually became a corrections officer with that department. In June 1988 I started my years of service with the Marquette City Police Department in Marquette, Michigan as the afternoon shift stenographer. I retired from the Marquette City Police Department in June 2019.

As part of my duties with the Marquette Police Department I processed literally thousands of reports for the officers and detectives with the agency. There were times when the contents of the investigations would bring back memories from my childhood and young adult years and remind me of how horrible it felt to know there was no one there to help me when I was a child. The first time I prepared a warrant request for Domestic Violence for a report that was being submitted for review by the Marquette County Prosecutor's Office was a moment of relief that finally domestic violence wasn't being viewed as just simple assault.

Watching things evolve and change during my lifetime has been reassuring. While services and resources weren't available for me, I'm relieved that those victims have a place to turn in the current era. Please do not return us to what was in the past. We need to help people recover and move forward with their lives after traumatic situations. Please support Assembly Bill 236.

Respectfully,

Yvonne R. Bonsall
506 W. Hewitt Ave.
Marquette, MI 49855

Chair Spiros, Vice Chair Piwowarczyk, and Honorable Members of the Assembly Committee on Criminal Justice and Public Safety,

I am testifying in writing today in favor of Assembly Bill 236. Sexual violence is a crisis in Wisconsin – whether you know it or not, it is statistically certain that at least one of your loved ones is a survivor of sexual assault. ***1.8 million Wisconsinites*** have experienced sexual violence in their lifetime, including ***1 in 3 women and 1 in 5 men***. Nationwide, hospital visits related to sexual assault have increased 1,533% since 2006 (no, that is not a typo). As a public high school teacher, I also know that, according to the Centers for Disease Control, 1 in 5 of my female students have experienced sexual violence ***in the last year alone***.

And yet, basic civil rights are too often not guaranteed for survivors of sexual assault in Wisconsin. Instead, survivors are often left to navigate a confusing system without the rights and support that they need. Two of the most pressing problems facing sexual assault survivors in Wisconsin are the length of time it takes for sexual assault forensic evidence kits to be processed, and the difficulty survivors often have in remaining informed about the status and testing of their kit. Assembly Bill 236, recently introduced by Representative David Murphy, would guarantee all survivors the right to have their kit tested within statutory timelines, to be kept informed of its location, testing date, and test results (including the identities of any persons identified through DNA testing), and to be informed before their kit is destroyed. While I also strongly urge this Legislature, the Attorney General, and the Wisconsin state crime laboratories to take urgent steps to shorten statutory testing timelines and ensure that all sexual assault forensic evidence kits are processed in a timely manner, passing AB 236 is an important first step that all policymakers should be able to immediately agree upon and enact into law.

I want my state-level elected officials to fight to protect and support my students, my family, and my friends and neighbors. I am thrilled that AB 236 is receiving a hearing before this esteemable committee, and I greatly appreciate your time and consideration. Protections for sexual assault survivors in Wisconsin are needed now more than ever before, and it is within your power to ensure that survivors can get the justice and support they deserve in our state.

Evan Bonsall
RISE Volunteer Advocate
Madison, WI 53715

September 10, 2025

TO: Members of the Assembly Committee on Criminal Justice and Public Safety

FROM: UW-Whitewater Students – Orin Smith & Nick Petreikis (Phonetic: Puh-tree-kiss)

Written Testimony in Support of 2025 Assembly Bill 236

Hello, thank you for allowing us time to speak on this important issue and for your consideration of this bill.

My name is Orin Smith. I currently serve as Alderperson for District 2 of the City of Whitewater. But what really drew me here today are my experiences and roles as a survivor, and as a student at the University of Wisconsin–Whitewater, where I am in my first year of the Higher Education Leadership graduate program. On campus, I have the privilege of serving as President of the Coalition Against Sexual and Interpersonal Violence and as Director of Student Affairs for the Whitewater Student Government. As someone deeply engaged in my community, I find a lot of value in advocating where I can, and when the opportunity came up to speak with you today, I simply could not pass it up.

NICK

My name is Nick Petreikis, an undergraduate student at the University of Wisconsin–Whitewater, currently a senior majoring in Public Policy and Administration. I am originally from Eagle River, WI and am involved on campus in various ways, namely as the former President and current Vice President of the Coalition Against Sexual and Interpersonal Violence, a student organization that promotes education, advocacy, and service surrounding sexual assault prevention; additionally as Deputy Speaker of the Senate for the Whitewater Student Government, and as Chair of the Segregated University Fee Allocation Committee (SUFAC).

As involved students, we see firsthand how deeply issues of safety and justice shape the lives of students on our campus. Sexual assault isn't an abstract concern, but a very real one that impacts the everyday lives of our classmates, coworkers, and friends. When a survivor shares their story and takes the brave step of reporting such a personal and vulnerable experience, they deserve clarity, transparency, and immediate action.

Just this past weekend, our campus received two Clery Act timely warning alerts from University Police. One followed a reported sexual assault that led to an arrest, and the other involved threats of violence. These incidents are only a local snapshot of how important timely reporting and transparent communications are to the safety of our state and local communities.

ORIN

Assembly Bill 236 addresses these concerns by expanding the rights of sexual assault survivors, strengthening transparency and accountability for survivors who provide a sexual assailt kit. By ensuring timely testing and regular updates, it will help to restore trust in a system that won't always work to support them and affirms that survivors will not be left in the dark after taking the immensely difficult step of coming forward.

Knowing that Wisconsin law will uphold these protections offers reassurance that their voices will be heard and experiences will not be dismissed. This bill demonstrates a commitment to transparency and accountability that will strengthen confidence in both our criminal justice system and our campus communities.

By supporting this piece of legislation, you are supporting countless survivors who currently — after facing what is likely one of the most traumatic experiences in their lives — continue to face fear, confusion, and anger throughout the remainder of the reporting process. You have the chance today to lessen that burden for so many people.

NICK

Thank you for the opportunity to speak today and for your consideration of Assembly Bill 236.