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Testimony before the Senate Committee on Judiciary and Public Safety

Senator André Jacque

Senate Bill 224
September 17, 2025

Chairman Wanggaard and Fellow Committee Members:

Thank you for holding this hearing on Senate Bill 224, 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, Senate Bill 224 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 Senate Bill 224 and ask for your support.

DAVE MURPHY

State Representative • 56th Assembly District

Senate Committee on Judiciary and Public Safety
Public Hearing, September 17, 2025
Senate Bill 224
Testimony of State Representative Dave Murphy

Chairman Wanggaard and members of the Committee on Judiciary and Public Safety,

Thank you for holding this hearing today on Senate Bill 224, 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 SB 224 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 SB 224 and support the survivors of sexual assault. Thank you for your time and consideration—I look forward to your questions.

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September 17, 2025

TO: Members of the Senate Committee on Judiciary and Public Safety

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

Written Testimony in Support of 2025 Senate Bill 224

Hello, thank you for allowing us time to submit written testimony 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.

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.

Senate Bill 224 addresses these concerns by expanding the rights of sexual assault survivors, strengthening transparency and accountability for survivors who provide a sexual assault 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

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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.

Thank you for the opportunity to submit written testimony today and for your consideration of Senate Bill 224.