WISCONSIN STATE CRIME LABORATORIES

MADISON ○ MILWAUKEE ○ WAUSAU

4626 University Ave.
Madison, WI 53705
(608) 266-2031

1578 South 11th St.
Milwaukee, WI 53204
(414) 382-7500

7100 Stewart Ave.
Wausau, WI 54401
(715) 845-8626

WSCL Sexual Assault Kit Evidence Submission Guidelines

Effective 03/12/2026

The Wisconsin State Crime Laboratories (WSCL) works to provide quality forensic results to assist agencies throughout Wisconsin. To be both as effective and efficient as possible, we have the following guidelines for all sexual assault (SA) kit submissions. The State of Wisconsin sexual assault kits are also referred to as Medical Forensic Evidence Collection Kits.

PACKAGING REQUIREMENTS

Upon receipt, evidence items must be packaged to protect them from loss, cross contamination, and/or deleterious change.

- Evidence items should be packaged separately to avoid direct contact that could result in cross contamination. Examples include:
  - Separate each swabbing or set of swabs,
  - Separate questioned evidence from known sources, and
  - Separate by evidence type.
- Biological evidence should be dried and packaged in paper to prevent deterioration of evidence. Some exceptions include:
  - Condoms and products of conception, which may be packaged in a specimen jar or vial and stored frozen.
- DNA reference standard packages must be clearly labeled with the name of the donor.
- All evidence packages must be sealed and initialed prior to submission to the WSCL.

LABORATORY REQUEST DETAILS

I. Provide a Transmittal of Criminal Evidence form and a CODIS Eligibility Questionnaire (CEQ) form.
   - The CEQ will assist the laboratory in determining if a DNA profile developed in a case is eligible for CODIS (Combined DNA Index System). A DNA profile may become CODIS eligible when it is obtained from biological material collected from a crime scene and is attributable to a presumed perpetrator. A completed CEQ should be submitted whenever DNA testing is requested. If a CEQ is not submitted, it may result in a delay in analysis and or CODIS entry.

II. To accommodate timely results for all agencies throughout Wisconsin, WSCL works evidence in the order of submission. Rush requests impede the process; therefore, they will be accepted only on a limited basis. Consult with a WSCL DNA Supervisor or Forensic Case Manager with any rush request or speedy trial demands. **DNA rush requests must pertain to:**
   - Significant public safety concerns,
   - Unknown perpetrator, or
   - Approaching jury trial date when the trial is at least three months from the date of submission to the laboratory.

Immediately notify the laboratory of any upcoming court deadlines and if analysis is no longer needed.

EVIDENCE ITEM ACCEPTANCE

Submission of items of evidence in sexual assault cases must relate to felony investigations (Wis. Stat. §165.75(3)(e)). The WSCL requires at least two months to complete analysis prior to any anticipated deadline (e.g., jury trial, etc.). **If testing results are needed by the court before the jury trial date, submit the item(s) at least three months earlier than that date and make a note on the Transmittal of Criminal Evidence. Additional time is necessary if a large number of items need to be tested or if multiple disciplines are requested.**

To reduce the time it takes to obtain a laboratory report, provide known DNA reference standards at the time of case submission.

Sexual assault cases – first laboratory submission:

- Medical Forensic Evidence Collection Kit (from victim and/or suspect),
- Underwear (from victim and/or suspect),
- Condom, if applicable.
- If consensual sex occurred within 5 days/120 hours of the exam collection date, provide known DNA reference standards from the consenting partner. This will prevent a consenting partner's DNA profile from being inadvertently searched in CODIS.

If the items in the first submission (listed above) do not yield any investigative leads, up to five additional items may be received in a subsequent submission. If the first submission provided investigative leads, no additional items will be analyzed.

POSSIBLE REASONS WHY A SA KIT MAY NOT BE TESTED

- The criminal offense is a misdemeanor.
- The victim has not consented or, within 14 days of providing consent, has withdrawn that consent.
- The SA kit was collected as a matter of protocol at autopsy, but there is no reason to believe a sexual assault occurred.
- The SA kit was collected more than 5 days/120 hours after the alleged assault.
- Criminal felony charges will not be pursued, and the listed suspect already has DNA on file in Wisconsin. Please note that offender profiles may be removed from the WI DNA Databank per WI Justice Code 9.06 and WI State Statute §165.77(4)(am).

If your case presents with any of these reasons, contact the Forensic Case Manager for an administrative analysis of the case facts by providing the Transmittal of Criminal Evidence and CEQ forms via email to:

Kathy Mahnke
WSCL Forensic Case Manager
(608) 609-6125
Kathy.Mahnke@wisdoj.gov

Any questions concerning this policy should be directed to:

Nicole Roehm
WI Division of Forensic Sciences Administrator
(414) 216-8769
Nicole.Roehm@wisdoj.gov

Thank you for your cooperation in helping the WSCL provide consistent, quality service to agencies throughout Wisconsin. We look forward to working with you.