



June 13, 2018

VIA HAND DELIVERY

Sen. Robert Cowles, Co-Chair
Joint Legislative Audit Committee
Room 118 South
State Capitol

Rep. Samantha Kerkman, Co-Chair
Joint Legislative Audit Committee
Room 315 North
State Capitol

RE: Third Audit Request of the Department of Justice's Sexual Assault Kit Testing

Dear Senator Cowles and Representative Kerkman:

I write today to formally request that the Joint Legislative Audit Committee direct the Legislative Audit Bureau to conduct a programmatic and performance audit of the Department of Justice's sexual assault kit backlog status and internal kit testing processes and procedures, as well as a financial audit of the grant funding the DOJ has received to address Wisconsin's backlog. To date, I have made such requests on two separate occasions via hand-delivered letters on February 7, 2017, and October 2, 2017, respectively, to which my office has received no response.

I renew my previous requests today in light of a *Post-Crescent* article published this morning (enclosed), which underscores in painstaking detail, delays in kit testing processes, unresponsiveness, administrative inefficiencies and ineffectiveness, and inappropriate programmatic cultural sensitivity and awareness, among other concerns that are not new but remain unaddressed and alarming. Ultimately, the article highlights a severe need for legislative oversight, thorough review, and unbiased recommendations that the Joint Legislative Audit Committee and Legislative Audit Bureau are uniquely situated to provide. As I have outlined in both of my previous letters, the audit(s) should address the following inquiries:

- ❖ How many kits are currently included in the backlog and how has this number changed over time? At what rate or frequency does the Wisconsin Department of Justice receive new kits and from which jurisdictions? What is the typical length of time for which kits remain in the backlog?
- ❖ Prior to accepting grant funding, what state funding source did the Wisconsin Department of Justice use to pay for sexual assault kit testing? Did the grant funding supplant or augment these state resources?
- ❖ What specific grant requirements govern the processing and testing of kits?

- ❖ What written protocol has the Wisconsin Department of Justice developed for processing kits? What groups outside the agency, if any, were involved in the creation or review of the protocol? How, if at all, has the Wisconsin Department of Justice trained its staff on the application of the protocol?
- ❖ With which specific vendors has the Wisconsin Department of Justice contracted to process kits? How, if at all, has the selection of vendors changed over time? What role, if any, can state diagnostic laboratories play in helping to address the backlog of kits?
- ❖ What limitations currently exist on the maximum number of kits that can be processed each month? Are these limits the result of funding limitations, grant requirements, or capacity at the vendors chosen by the Wisconsin Department of Justice to process the kits?
- ❖ To what extent has the Wisconsin Department of Justice reported the status of its progress in testing kits to grant funders in the time since it accepted grant funding?
- ❖ By assessing grant progress reports submitted by other states concerning their strategies for addressing their backlogs, what best practices could the Legislative Audit Bureau identify?
- ❖ What alternative options would the Legislative Audit Bureau recommend in order to quickly reduce the backlog and improve the quality of the protocol and process used by the Wisconsin Department of Justice?

Given the ongoing nature of these concerns and that this is my third request, I respectfully request acknowledgement of this correspondence and a response from either or both of your offices. Thank you for your consideration of this request.

Respectfully,


Melissa Sargent

State Representative
48th Assembly District

cc: Members, Joint Legislative Audit Committee
Joe Chrisman, State Auditor

Enclosure