



# NWTC Notification of Rights, Resources & Options

For victims of Domestic Violence, Dating Violence and Sexual Assault

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## INTRODUCTION

This guide explains Northeast Wisconsin Technical College's (NWTC) resources and options available to individuals impacted by sexual harassment including sexual assault, domestic violence, dating violence, and stalking. Below, you will find valuable information and resources to familiarize yourself with options if you or another individual experiences sexual harassment. In compliance with federal law (Title IX), NWTC has appointed a Title IX Coordinator whose role is to ensure that members of the community receive Title IX protections as guaranteed by law and institutional policy. Contact information for the NWTC Title IX Coordinator and other key resources is listed in the next section.

This can be an overwhelming time for someone who has experienced sex-based misconduct. NWTC regrets that you may have had such an experience. We want you to know that we are here for you and want to ensure you are empowered to make the choices that are best for your needs, without pressure and with respect for your autonomy and privacy.

**Choose how to proceed.** You have options. You can:

- do nothing until you are ready
- pursue a NWTC resolution
- initiate criminal proceedings
- initiate a civil process against the perpetrator, and/or
- pursue healing options that do not require reporting to any official.

You may pursue whichever combination of options is best for you. If you pursue a NWTC resolution, your options can include an investigation, hearing, informal resolution, and/or supportive measures. Those options are summarized below and explained in detail in the NWTC's Title IX – Sex Discrimination Policy, found here: [Title IX - Sex Harassment Policy](#).

## IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT

**If you are off campus and experiencing an emergency, you can call local police by dialing 911. You may also call the local police department's non-emergency line.**

1. Go to a safe location as soon as you are able.
2. Contact any of the following for immediate assistance on campus or in the community:

### Campus Resources:

- **Title IX Coordinator/Deputy Coordinator(s)** - Monday-Friday, 8:00am-4:30pm

Dawn Rentmeester

Kelly Schumacher

Title IX Coordinator

Title IX Deputy Coordinator

Green Bay Room CC224

Green Bay Room SC123

(920)498-6932

(920)498-6390

[dawn.rentmeester@nwtc.edu](mailto:dawn.rentmeester@nwtc.edu)

[kelly.schumacher@nwtc.edu](mailto:kelly.schumacher@nwtc.edu)

- **Campus Security:** 920-498-5699
  - 7 days a week, 6:00am – 10:00pm
- **Campus Care:** 920-498-6993
  - Monday-Thursday, 8:00 am - 4:00 pm and Friday, 8:00 am - 12:00 pm.
  - Evening hours are available 4:30pm - 6:30pm on Tuesdays and Thursdays during fall and spring semesters.
- **NWTC Counseling Services:** Call/Text: 920-498-5507 or [counseling.services@nwtc.edu](mailto:counseling.services@nwtc.edu)
  - Monday – Thursday, 8:00am – 5:00pm
  - Friday 8:00am – 4:00pm

### Community Resources:

<p><b>Sexual Assault Center of Family Services</b> 24 Hour Hotline (920) 436-8899</p> <ul style="list-style-type: none"> <li>• Brown County <ul style="list-style-type: none"> <li>○ (920) 436-8899</li> <li>○ 300 Crooks St., Green Bay, WI 54301</li> </ul> </li> <li>• Door County <ul style="list-style-type: none"> <li>○ (920) 746-8996</li> <li>○ 207 S. 4<sup>th</sup> Ave., Sturgeon Bay, WI 54235</li> </ul> </li> <li>• Oconto County <ul style="list-style-type: none"> <li>○ (920) 846-2111</li> <li>○ 512 Brazeau Ave., Oconto, WI 54153</li> </ul> </li> <li>• Marinette County <ul style="list-style-type: none"> <li>○ (715) 732-7300</li> <li>○ 1926 Hall Ave., WI 54143</li> </ul> </li> </ul>	<p><b>Rainbow House</b> <a href="http://therainbowhouse.us">therainbowhouse.us</a> 24 Hour Crisis Line (800) 956-6656</p> <ul style="list-style-type: none"> <li>• Marinette County <ul style="list-style-type: none"> <li>○ (715) 735-6656</li> <li>○ 1530 Main St., Marinette, WI 54143</li> </ul> </li> <li>• Oconto County <ul style="list-style-type: none"> <li>○ (920) 834-5299</li> <li>○ 1008B Pecor St., Oconto, WI 54153</li> </ul> </li> </ul>
<p><b>Safe Haven</b> <a href="http://shawanoshelter.org">shawanoshelter.org</a> 24 Hour Crisis Line (888) 303-3421</p> <ul style="list-style-type: none"> <li>• (715) 526-3421</li> <li>• Text Only (715) 584-1258</li> <li>• 380 Lakeland Rd, Shawano, WI 54166</li> </ul>	<p><b>Caring House</b> 24 Hour Crisis Line (906) 774-1112</p> <ul style="list-style-type: none"> <li>• (906) 774-1337</li> <li>• 1305 Prospect Ave., Iron Mountain, MI 49801</li> </ul>
<p><b>Tri-County Safe Harbor</b> <a href="http://safe3c.com">safe3c.com</a> 24 Hour Help Line (906) 789-1116</p> <ul style="list-style-type: none"> <li>• Delta County, Michigan <ul style="list-style-type: none"> <li>○ (906) 789-9207</li> <li>○ 905 1<sup>st</sup> Ave. South, Escanaba, MI 49829</li> </ul> </li> <li>• Menominee County <ul style="list-style-type: none"> <li>○ (906) 836-1116</li> </ul> </li> </ul>	

<ul style="list-style-type: none"> <li>○ 1101 11<sup>th</sup> Ave., Suite B7, Menominee, MI 49858</li> <li>● Carney Office <ul style="list-style-type: none"> <li>○ (906) 639-3021</li> <li>○ 54 North Highway US41, Carney, MI 49812</li> </ul> </li> <li>● Schoolcraft County <ul style="list-style-type: none"> <li>○ (906) 789-1116</li> <li>○ 417B Oak St., Manistique, MI 49857</li> </ul> </li> </ul>	
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3. **Medical Attention:** Seek immediate medical attention if you are injured or believe you may have been exposed to the risk of an STI/STD or pregnancy.

<b>Brown County</b> St. Vincent's Hospital 835 North Meade Street Green Bay, WI 54301 Emergency Dept: 920-433-8181	<b>Kewaunee County</b> St. Vincent's Hospital 835 North Meade Street Green Bay, WI 54301 Emergency Dept: 920-433-8181	<b>Oconto County</b> Theda Care Regional Medical Center Appleton 1818 North Meade Street Appleton WI 54911 Emergency Dept: 920-731-4010
<b>Door County</b> St. Vincent's Hospital 835 North Meade Street Green Bay, WI 54301 Emergency Dept: 920-433-8181	<b>Manitowoc County</b> Aurora Medical Center – Manitowoc County 5000 Memorial Drive Two Rivers, WI 54241 Emergency Dept: 920-794-5000	<b>Outagamie County</b> Theda Care Regional Medical Center Appleton 1818 North Meade Street Appleton, WI 54911 Emergency Dept: 920-731-4101
<b>Florence County</b> Ascension St. Clare's Hospital 3400 Ministry Parkway Weston, WI 54476 Emergency Dept: 715-393-3000	<b>Marinette County</b> St. Vincent's Hospital 835 S. Van Buren St Green Bay, WI 54301 Emergency Dept: 920-433-8181	<b>Shawano County</b> Theda Care Regional Medical Center Appleton 1818 North Meade Street Appleton, WI 54911 Emergency Dept: 920-731-4101

4. **Evidence Preservation:** Preserving evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. The following steps will help preserve evidence:

For instances of Sexual Assault:

- Seek forensic medical assistance at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.

- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement).
  - If you are still wearing any clothes worn during the incident, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence.
- Seeking medical treatment, in general, can be essential, even if it is not for the purpose of collecting forensic evidence.
- Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

For instances of Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment:

- Evidence in the form of text and voice messages will be lost, in most cases, if the impacted individual changes their phone number.
  - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
  - Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
- Save copies of email and social media correspondence, including notifications related to account access alerts.
- Take time-stamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
- Save copies of any messages, including those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

5. **Contacting Law Enforcement:** NWTC will provide assistance contacting law enforcement, if the impacted individual wishes to do so. Contacting law enforcement is not required to receive support or to engage other options for resolution through NWTC. Local law enforcement can assist with evidence collection, evidence preservation, taking statements, pressing criminal charges, and obtaining protective or restraining orders. Local law enforcement agencies include:

<b>City of Green Bay Police Department</b> Non-Emergency (920) 391-7450 Crime Stoppers (920) 432-7867 307 S. Adams St., Green Bay, WI 54301 <a href="http://gbpolice.org">gbpolice.org</a>	<b>Florence County Sheriff's Office</b> Non-Emergency (715) 528-3346 501 Lake Ave., Florence, WI 54121 <a href="http://florencountywi.com">florencountywi.com</a>	<b>City of Shawano Police Department</b> Non-Emergency (715) 524-4545 125 S. Sawyer St., Shawano, WI 54166 <a href="http://cityofshawano.com">cityofshawano.com</a>
<b>City of Marinette Police Department</b> Non-Emergency (715) 732-5200	<b>Village of Crivitz Police Department</b> Non-Emergency (715) 927-4042	<b>Door County Sheriff's Office</b> Non-Emergency (920) 746-2400

1905 Hall Ave., Marinette, WI 54143 <a href="http://marinette.wi.us/174/Police-Department">marinette.wi.us/174/Police-Department</a>	800 Henriette Ave., Crivitz, WI 54114 <a href="http://villageofcrivitz.com">villageofcrivitz.com</a>	121 S. Duluth Ave., Sturgeon Bay, WI 54235 <a href="http://doorcountysheriff.org">doorcountysheriff.org</a>
<b>City of Sturgeon Bay Police Department</b> Non-Emergency (920) 746-2450 421 Michigan Ave., Sturgeon Bay, WI 54235 <a href="http://sturgeonbaypolice.com">sturgeonbaypolice.com</a>	<b>Village of Luxemburg Police Department</b> Non-Emergency (920) 845-5381 206 Maple St., Luxemburg, WI 54217 <a href="http://luxemburgusa.com">luxemburgusa.com</a>	<b>Village of Howard Police Department</b> Non-Emergency(920) 391-7450 2456 Glendale Ave., Green Bay, WI 54313 <a href="http://villageofhoward.com">villageofhoward.com</a>
	<b>City of Oconto Falls Police Department</b> Non-Emergency (920) 846-4500 500 N. Chestnut Ave., Oconto Falls, WI 54154 <a href="http://cityofocontofalls.com">cityofocontofalls.com</a>	

If you are on the campus, you can contact **NWTC Campus Security**:

- Non-Emergency(920) 498-5699
- Room SC121
- 2740 West Mason St., Green Bay, WI 54303 Room SC121

\*Security officers are located on the Green Bay campus and are available every day, 6am – 10pm.

NWTC will also help facilitate contact with any other law enforcement agencies not listed above if those agencies would have jurisdiction over the alleged misconduct or could otherwise provide support for or information to the impacted individual.

If any impacted individual would prefer to have a support person accompany them to any meeting or interview with law enforcement, NWTC will help find an appropriate resource at the institution or in the local community.

If any impacted individual is interested in support with contacting law enforcement, they should contact Dawn Rentmeester, NWTC's Title IX Coordinator, at 920-498-6932 or [dawn.rentmeester@nwtc.edu](mailto:dawn.rentmeester@nwtc.edu).

**6. Pursue NWTC's Resolution Process:** NWTC has procedures in place to respond to reports of dating violence, domestic violence, stalking, or sexual assault in a manner sensitive to victims of these crimes. The Title IX Coordinators and investigators have received training in how to respond to reports of these crimes in a non-judgmental and supportive manner. Upon receipt of a report, a Title IX Coordinator or designee will provide you with a notification of your rights (including the right to file a report with law enforcement) and supportive services, resources, and accommodations that are available to you. This is a NWTC administrative process, not a criminal or civil process

**7. Protection Orders.** The Title IX Coordinator, Campus Security, or local law enforcement can provide information for obtaining a protection order, if desired. A protection order, imposed by a court, would prohibit proximity and/or contact between individuals.

## OVERVIEW OF NWTC'S RESOLUTION PROCESS IN RESPONSE TO REPORTS OF DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND SEXUAL ASSAULT

- **Intake:** The Title IX Coordinator or designee guides the Complainant through the policy, procedures, and available resources. If the Complainant decides to proceed with a formal or informal resolution, an Initial Evaluation follows.
- **Initial Evaluation:** The Title IX Coordinator or designee assesses the complaint to determine jurisdiction and applicable policies. Certain complaints may be dismissed based on specific criteria, but they can be referred to other campus processes if needed.
- **Choosing an Advisor:** Both parties can choose an Advisor to assist them through the process, including hearings. Advisors can be anyone, and NWTC provides one if needed.
- **Investigation:** Trained Investigators conduct a thorough and impartial investigation, interviewing parties and witnesses. Both parties can review and comment on the collected evidence.
- **Hearing:** A neutral Decision-maker conducts the hearing, questioning all involved. Advisors can cross-examine parties and witnesses. The standard of evidence used is a "preponderance of evidence."
- **Final Determination:** The outcome, including any sanctions and rationale, is communicated in writing to both parties.
- **Appeal:** Parties can appeal the decision within five business days. Appeals are handled through written submissions, and there is only one level of appeal, which is final.

To review the full resolution process, please see [NWTC's Title IX – Sex Harassment Resolution Process](#).

### Informal Resolution Process

An impacted party may seek to resolve the allegations through an Informal Resolution, according to the parameters set out in the NWTC Title IX Sex Discrimination policy. All involved parties and the Title IX Coordinator must consent to Informal Resolution. Informal Resolution is a NWTC administrative process, not a criminal or civil process. NWTC offers four approaches to Informal Resolution:

- **Supportive Resolution.** When the Title IX Coordinator or its designee can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
- **Educational Conversation.** When the Title IX Coordinator or its designee can resolve the matter informally by having a conversation with the Respondent to discuss the

Complainant's concerns and institutional expectations or can accompany the Complainant in their desire to confront the conduct.

- **Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating NWTC's Title IX - Sex Discrimination Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and NWTC are agreeable to the resolution terms
- **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.).

If the impacted party chooses to initiate an investigation, Informal Resolution is available at any time during an investigation (see above) prior to a final determination. No investigation is required, though, to have access to Informal Resolution options.

- **No Action Taken:** Unless an imminent and serious threat to the health or safety of the impacted individual, or the wider NWTC community exists, if the impacted individual declines to pursue NWTC action to resolve the allegations of sex-based harassment, NWTC will provide support but not pursue resolution. The impacted individual may pursue any of the above resolutions at any time.

Impacted individuals may also seek criminal charges or civil remedies, outside the administrative resolution options NWTC offers, as outlined above.

## REPORTING

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

**Confidential Reporting:** A confidential resource is not required to share information about disclosures of sex-based harassment with NWTC. If an impacted individual would like the details of an incident to be kept confidential, they should speak with campus mental health counselors and/or health service providers. Campus counselors are available to help on an emergency basis. Their service is free of charge.

If you need confidential mental health counseling on campus, you can receive such services at no-charge from NWTC's Licensed Professional Counselors. You can make an appointment by calling 920-498-5507 or directly booking an appointment online at: <https://www.nwtc.edu/student-experience/counseling>

BetterMynd also has Licensed Professional Counselors who are partnering with NWTC Licensed Professional Counselors to offer expanded counseling for additional hours in the evening and weekends via Zoom.

BetterMynd Counseling is:

- Confidential

- Virtual
- Convenient
- Secure

Enrolled students can sign up now for four free 50 minute online therapy sessions that you can access at any time. Sign up here: [https://www.nwtc.edu/student-experience/counseling#Counseling\\_through\\_BetterMynd](https://www.nwtc.edu/student-experience/counseling#Counseling_through_BetterMynd)

Please note that BetterMynd is a scheduled service, not a crisis service. If you need immediate help, please call your county's Emergency Crisis and Intervention 24-hour hotline at the numbers listed in this document.

NWTC also provides confidential counseling services to its employees. The Employee Assistance Program (EAP) is designed to provide prompt, confidential help with a range of personal and family issues that may affect all of us from time to time. Employees or members of their household (spouse, dependent children, etc.) can receive up to eight free counseling sessions with an EAP Professional. NWTC's provider is ComPsych. If you need help or guidance, you may reach out to EAP at (800)272-7255 or [www.guidanceresources.com](http://www.guidanceresources.com).

In addition, NWTC has designated Bellin's Campus Care providers as confidential reporters. Local resources such as crisis centers are also confidential and have no duty to report disclosed information to NWTC.

**Mandated Reporting:** All employees not designated as confidential above are mandated reporters. This means they are required to disclose about sex-based misconduct with the Title IX Coordinator. The Title IX Coordinator will reach out to offer support and the opportunity to initiate a complaint to the impacted party, but the impacted party can choose whether to respond or participate in any meeting or process.

## **SUPPORTIVE MEASURES AND RIGHTS IN THE RESOLUTION PROCESS**

### **SUPPORTIVE MEASURES**

- NWTC will assist any impacted party with accessing counseling, advocacy services, health care, legal support, student financial aid, and visa and immigration assistance, both on campus and in the community.
- The Title IX Coordinator, or designee will discuss the availability of supportive measures after an alleged incident of discrimination, harassment, and/or retaliation. No complaint or investigation, either campus or criminal, needs to occur before this option is available. Such measures may include, but are not limited to:
  - Referral to counseling, medical, and/or other health services.
  - Referral to the Employee Assistance Program.
  - Student financial aid counseling.
  - Education to the institutional community or institutional community subgroup.

- Altering work arrangements for employees or student-employees.
- Safety planning.
- Providing campus escorts.
- Implementing contact limitations (no contact orders) between the parties.
- Academic support.
- Offering adjustments to academic deadlines, course schedules, etc.

## RIGHTS OF PARTIES IN THE NWTC TITLE IX RESOLUTION PROCESS

Under the Title IX – Sexual Harassment Policy and Procedures, the parties have the right to:

- An equitable investigation and resolution of all credible allegations of prohibited discrimination, harassment, retaliation, and Other Prohibited Conduct, when reported in good faith to Recipient officials.
- A fundamentally fair resolution as defined in the Title IX – Sex Discrimination procedures.
- Timely written notice of all alleged violations, including the identity of the parties involved (if known), the specific misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated Policies and procedures, and possible sanctions.
- Be able to select an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- Have NWTC's policy and procedures followed without material deviation.
- Be treated with respect by NWTC officials.
- Have NWTC security, and/or other NWTC officials respond promptly to alleged policy violations.
- Have NWTC maintain supportive measures for as long as necessary, ensuring they remain confidential, provided confidentiality does not impair the institution's ability to provide the supportive measures or comply with the law.
- Preservation of confidentiality/privacy, to the extent possible and permitted by law.

These rights are some of the most important, but not the only rights provided by NWTC policy. For a full list of rights, please see [NWTC's Title IX – Sex Harassment Resolution Process](#).

## FREQUENTLY ASKED QUESTIONS (FAQ)

### Can an attorney be my Advisor?

Yes. You have the right to an Advisor of your choice, which can include an attorney.

### Will my parents/guardians find out about this incident?

It depends. If you are a minor, members of the Title IX team may have certain mandatory reporting obligations, which may include notifying your parents/guardians of the incident.

If you are not a minor, any incident disclosed to a Mandatory Reporter is a part of your NWTC education record, which is protected under the Family Educational Rights and Privacy Act (FERPA). This means that your education record cannot be shared with anyone with whom you have not given NWTC permission to share, except in emergency situations.

**Do I have to resolve this through a Resolution Process with NWTC?**

No. You have options, as outlined above. The Title IX Coordinator can explain those options and answer your questions.

**Is there a time limit for reporting?**

There are no time limits on initiating a complaint; however, the passage of time may impact your options.

**Will I get in trouble if I was drinking underage during the incident**

No. To encourage reporting and participation in the Resolution Process, Recipient offers parties and witnesses amnesty from minor policy violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident.

**What happens if the Respondent fails to comply with the sanctions after a Resolution Process?**

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or for any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination.

**What happens if the Respondent transfers, leaves, or resigns prior to the conclusion of the Resolution Process?**

It depends on the circumstances. The Title IX Coordinator can provide more information.

**What if law enforcement is involved?**

NWTC's action(s) or processes do not change, generally, because there are civil or criminal charges involving the underlying incident(s). NWTC may undertake a short delay in its investigation if circumstances require.

## **SEXUAL ASSAULT STATISTICS**

*Nationally*

- Every 98 seconds, an American is a victim of sexual assault.
- 1 out of every 6 American women has been the victim of an attempted or completed rape in her lifetime (14.8% completed, 2.8% attempted).
- A majority of sexual assaults occur at or near the home.

*Wisconsin*

- From 2006 to 2010, about 4,960 sexual assaults were reported annually to law enforcement.
- 90% of victims know the person who assaults them.
- Two-thirds of the victims of reported assaults are less than 15 years of age.
- Over four-fifths of victims are female.
- It is estimated that 1 in 7 (14%) Wisconsin women are raped during their lives.
- Most perpetrators of sexual violence often know the victim. 45% of sexual assaults are committed by an acquaintance, 25% by a current or former intimate partner, while about 28% are committed by strangers.

#### *NWTC*

- Students can find NWTC's campus crimes statistics in the college's annual security report available at [nwtc.edu/about-nwtc/safety-and-security](http://nwtc.edu/about-nwtc/safety-and-security).

## **PROTECTING YOURSELF FROM SEXUAL ASSAULT**

- Trust your instincts. If your gut is telling you that you should not be alone with someone, leave. If you feel the party you are at is getting out of control, get out. If you are starting to get creeped out by how someone is looking at you or what they are saying to you, call a cab or find a friend.
- Be prepared. Before you go out make sure your phone is fully charged, carry some cash, and have the number of a cab company programmed in your phone.
- Don't share too much on-line about what your plans are. 61% of attackers are known by the victim.

#### *At a Party*

- Stick together with your friends or let them know where you are going. Consider developing code words to alert a friend if you are getting uncomfortable.
- Be aware of your alcohol consumption. A first recommendation is to not drink, especially if you are under age. But if you are going to have a drink, know your limits. There is no disputing the fact that alcohol compromises your ability to make responsible decisions and be accurately aware of your situation. Over half of sexual assaults among college students involve alcohol.
- If you do have a drink, don't let it out of your sight. You never know when someone might slip something into your drink. If you leave it unattended, get a new drink. Never accept a drink from someone you don't know.
- Be ready to speak up to help someone out. If a situation seems wrong, step up. Find others to support you and then offer some distraction to rescue a friend or peer from a questionable situation.

#### *When Walking Alone*

- Keep your eyes scanning – Stay alert and pay attention to your surroundings.
- Keep your ears listening – Don't have earphones in
- Keep your feet moving – Walk with a purpose

- Choose a smart route – Try to stick to well-traveled areas with a clear line-of-sight even if it is not the most direct path.

*On a Date*

- Tell a friend where you are going.
- Don't compromise your standards – Set your boundaries and be firm. I don't want to is a good enough reason.
- Understand that consent to sexual activity can be withdrawn at any time.
- If your date is making you uncomfortable – call a friend and use a code word, or, if you can, make an excuse and leave.

## CRIME VICTIMS' RIGHTS

If you become a victim of a sexual assault and report it to law enforcement, you have rights under the law, including the following:

- To be treated with fairness, dignity and respect for your privacy.
- To not have personal identifiers including email disclosed or used for a purpose unrelated to the official duties of an agency, employee or official.
- To be informed of your rights and how to exercise those rights.
- To information regarding the offender's release from custody.
- To be notified of a decision not to prosecute if an arrest has been made.
- To speak with (confer) the prosecutor representative upon your request, about the possible outcome of the case, potential plea agreements and sentencing options.
- To attend court proceedings in the case.
- To be notified of the time, date and place of upcoming court proceedings, if you so request.
- To be provided with a waiting area separate from defense witnesses.
- To a speedy disposition of the criminal case.
- To have your interest considered when the court is deciding to grant a request for a delay.
- To be notified if charges are dismissed.
- To be accompanied to court by a service representative. This right is limited to specific types of crimes.
- To ask for assistance with your employer if necessary, resulting from court appearances.
- To request an order for, and to be given the results of, testing the offender for sexually transmitted diseases or HIV. This right is limited to specific types of crimes.
- To provide a written or oral victim impact statement concerning the economic, physical and psychological effect of the crime upon you to be considered by the court at sentencing.
- To have the impact of the crime on you included in a presentence investigation.
- To be provided sentencing or dispositional information upon request.
- To restitution as allowed by law.
- To a civil judgment for unpaid restitution.

- To compensation for certain expenses as allowed by law.
- To have your property expeditiously returned when it is no longer needed as evidence.
- To be notified of the offender's eligibility for parole and to have input into the parole making decision.
- To be notified by the Wisconsin Department of Corrections of specific types of releases, escapes or confinements as provided by law.
- To be notified of a pardon application to the governor and to make a written statement regarding the pardon application
- To contact the Wisconsin Department of Justice about any concerns you may have about your victim rights.

## DEFINITIONS

Wisconsin [statutes](#) define four degrees of sexual assault. They range from uninvited and unwanted touching to forced intercourse. Sexual assault can occur between persons in dating or sexual relationships, including marriage. It can also occur between persons of the same sex.

### 940.225

#### *First degree sexual assault (class B felony)*

- (a)** Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
- (b)** Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.
- (c)** Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- (d)** Commits a violation under sub. [\(2\)](#) against an individual who is 60 years of age or older. This paragraph applies irrespective of whether the defendant had actual knowledge of the victim's age. A mistake regarding the victim's age is not a defense to a prosecution under this paragraph.

#### *Second degree sexual assault (class C felony)*

- (a)** Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- (b)** Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

**(c)** Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.

**940.225(2)(cm)(cm)** Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.

**(d)** Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.

**(f)** Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.

**(g)** Is an employee of a facility or program under s. [940.295 \(2\) \(b\), \(c\), \(h\) or \(k\)](#) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.

**(h)** Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

**(i)** Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

**(j)** Is a licensee, employee, or nonclient resident of an entity, as defined in s. [48.685 \(1\) \(b\)](#) or [50.065 \(1\) \(c\)](#), and has sexual contact or sexual intercourse with a client of the entity.

**(k)** Is a law enforcement officer and has sexual contact or sexual intercourse with any person who is detained by any law enforcement officer, as provided under s. [968.24](#), or is in the custody of any law enforcement officer. This paragraph applies whether the custody is lawful or unlawful and whether the detainment or custody is actual or constructive. Consent is not an issue in an action under this paragraph.

*Third degree sexual assault (class G felony)*

**(a)** Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony.

**(b)** Whoever has sexual contact in the manner described in sub. [\(5\) \(b\) 2.](#) or [3.](#) with a person without the consent of that person is guilty of a Class G felony.

*Fourth degree sexual assault (class A misdemeanor)*

Except as provided in the statute regarding third degree sexual assault, whoever has sexual contact with a person without the consent of that person.

[940.22](#) *Sexual exploitation by a therapist (class F felony)*

- Any person who is or who holds himself or herself out to be a therapist and who intentionally has sexual contact with a patient or client during any ongoing therapist-patient or therapist-client relationship, regardless of whether it occurs during any treatment, consultation, interview or examination

*Harassment (class b forfeiture)*

Whoever, with intent to harass or intimidate another person, does any of the following

- Strikes, shoves, kicks or otherwise subjects the person to physical contact or attempts or threatens to do the same.
- Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose.

Whoever violates the above under all of the following circumstances (Class A misdemeanor)

- The act is accompanied by a credible threat that places the victim in reasonable fear of death or great bodily harm.
- The act occurs while the actor is subject to an order or injunction under s. 813.12, 813.122 or 813.125 that prohibits or limits his or her contact with the victim.

Additional penalties apply if the individual has prior convictions for harassment in general and/or of the same individual.

## **PENALTIES FOR VIOLATING STATE CRIMINAL STATUTES**

Penalties for conviction of a criminal or civil action based on a crime of sexual assault range from fines, financial restitution and probation to imprisonment, depending on the degree of the assault.

Penalty for a conviction of a Class A Felony Offense in Wisconsin:

- Maximum Imprisonment: Life

Penalty for a conviction of a Class B Felony Offense in Wisconsin:

- Maximum Imprisonment: 60 years (increased penalty for 2nd offense of 1st degree sexual assault)

Penalty for a conviction of a Class C Felony Offense in Wisconsin:

- Maximum Imprisonment: 40 years
- Maximum Fine: \$100,000

Penalty for a conviction of a Class G Felony Offense in Wisconsin:

- Maximum Imprisonment: 10 years
- Maximum Fine: \$25,000

Penalty for a conviction of a Class A Misdemeanor Offenses in Wisconsin:

- Maximum Imprisonment: 9 months in jail
- Maximum Fine: \$10,000

Class B Forfeitures in Wisconsin are punishable by up to \$1,000.