

**SEXUAL ASSAULT IN WISCONSIN:
AN OVERVIEW**

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TABLE OF CONTENTS

| | |
|---|-----------|
| EXECUTIVE SUMMARY | i |
| INTRODUCTION..... | 1 |
| OVERVIEW OF SEXUAL ASSAULT..... | 4 |
| PREVALENCE OF SEXUAL ASSAULT | 6 |
| WHO ARE THE VICTIMS? | 7 |
| WHO ARE THE PERPETRATORS? | 7 |
| ARRESTS AND OUTCOMES..... | 8 |
| COSTS OF SEXUAL ASSAULT | 8 |
| SEXUAL ASSAULT SERVICES IN WISCONSIN..... | 12 |
| RECOMMENDATIONS | 15 |
| APPENDIXES: | |
| APPENDIX A: WISCONSIN SEXUAL ASSAULT LAWS..... | 19 |
| APPENDIX B: SEXUAL ASSAULT REPORTING | 20 |

EXECUTIVE SUMMARY

Sexual assault has a devastating impact on its victims, over half of which are under the age of 18. Survivors often suffer from depression, fear, guilt and any number of physical and psychological issues. Sexual assault is a crime in which the victim still gets blamed. Many times survivors must answer questions that would never be asked of other victims of violent crime. They often must justify why it was not their fault. Because of the nature of sexual assault, and the communities' response to it, sexual assault is arguably the most underreported of all violent crimes. Even when victims do report, the system that responds may not necessarily be trained to respond appropriately.

Survivors of sexual assault, and the State of Wisconsin, pay a high cost for this crime. Not only do victims suffer financially, so does the community. Medical expenses, mental health costs, lost work time and overall pain and suffering are just some of the challenges that victims face. Victimization costs in Wisconsin can be estimated at over \$730 million a year. In addition to these costs, the community also “pays” for the criminal justice system that responds, less productive members of society, and an increased population with substance abuse problems, mental health needs and other challenges that prove barriers to success.

Sexual assault is a problem in Wisconsin. A recent report estimated that there are over 290,000 adult women in the state that have ever been raped. Wisconsin needs to be better equipped to deal with the issue and respond to the needs of survivors of sexual violence. All counties should have sexual assault service providers, first responders should be trained to work with the victims, and victims should not have to worry about the cost of a sexual assault forensic exam. This report is not a comprehensive study of sexual assault but is an overview of the issues surrounding sexual assault in Wisconsin.

I was back there, minding my own business and doing my thing. My cousin's friend grabbed me by my arms and drug me into the bathroom. I screamed. Knowing what was about to happen I froze. My whole body went numb. I couldn't move. After he was done, he got dressed and walked out of the bathroom like nothing happened. He left me there with my tears. When he walked out the door, he took with him my pride, my security and my virginity... I'm currently in counseling 2 times a week, and I'm on pills for depression. I can't fall asleep at night without the TV on. And I've already given myself an ulcer from worrying so much. I know things will get better and eventually I will be able to live a normal life again, but right now it is hard. Very hard.¹

Sexual Assault Survivor

INTRODUCTION

Sexual assault is a crime of violence. Victims suffer the effects of an assault for a lifetime. Survivors often suffer from depression, fear, guilt and any number of physical and psychological issues. The majority of victims are women, and over half of all sexual assault victims are under the age of 18. The crime of sexual violence not only impacts its victims but also the community. In Wisconsin, and nationwide, the public pays a high price for sexual assault. Communities and the state need to be better equipped to respond to the needs of sexual assault victims. In Wisconsin, many partners have come together to work with survivors of sexual assault, educate the public and train the systems that respond. However, without a full understanding of the magnitude of the problem of sexual assault there is no guarantee that funding and resources are being used in the most effective way.

OVERVIEW OF SEXUAL ASSAULT

Sexual assault is a crime of violence that comes from the offender's need to exercise power and control over the victim. Sexual assault can be defined as any type of

¹: Healthy Place: Survivor Stories. <http://www.healthyplace.com/Communities/Abuse/link/survivors.htm>
(5/10/04)

non-consensual sexual contact. According to Wisconsin Sexual Assault Statutes, forcible rape, forcible sodomy, assault with an object, forcible fondling are all considered sexual assault. (See Appendix A for overview of Wisconsin Sexual Assault Laws) For the purpose of this report sexual assault will refer to forcible rape, forcible sodomy and assault with an object.²

Survivors may feel shame, embarrassment or even fear. Some victims fear they will not be believed, they may be afraid they will be blamed, or they are concerned about retaliation by the offender. Survivors who do report are often “re-victimized” by the system that should be there to help them. They may be asked questions about what they were wearing or how they were behaving. Victims are further traumatized as they are forced to re-tell and re-live the incident over and over again. It is not surprising that many victims choose not to report the assault to law enforcement. Because of this, it is difficult to get an accurate picture of the magnitude of the sexual assault problem in the U.S., and more specifically in Wisconsin.

Whether or not a victim of sexual assault reports the crime to police they still face the after effects of the assault. The physical and psychological effects caused by the rape or sexual assault may take years, or a lifetime, to recover from. Physical effects could include; sexually transmitted disease, pregnancy, HIV and AIDS, or bodily trauma. One study found that 43 percent of sexual assault victims had evidence of sexually transmitted diseases that required medical treatment.³ Survivors also may suffer from post traumatic stress disorder (PTSD), depression, eating disorders, anxiety or a number of other mental health issues. Studies have shown that the chances that a woman will develop PTSD after

² Sexual assault and rape may be used interchangeably.

³ Miller, T. Cohen, M., Rossman, S. (1993) *Victim Costs of Violent Crime and Resulting Injuries*. Health Affairs, Winter.

being raped are between 50 percent and 95 percent.⁴ Women suffering from PTSD have also shown increased risk for developing alcohol and other drug abuse problems. One study shows that compared to women who have never been raped, rape victims with PTSD were 13 times more likely to have two or more major alcohol problems, and 26 times more likely to have two or more major drug abuse problems.⁵ Furthermore, 13 percent of rape victims have attempted suicide and 33 percent have had serious suicidal thoughts.⁶ Compared with non-victims, rape victims have been found to be 8.7 times more likely to attempt suicide.⁷ Also, female adolescent abuse survivors are more likely to develop eating disorders and are more likely to use illegal drugs compared to teenage girls who were never sexually abused.⁸ In addition, girls who were raped are more likely to suffer from psychiatric disorders and drug and alcohol abuse in adulthood.⁹

Victims are not the only ones who “pay” for sexual assault. The community also bears a cost. Again, victims are more likely to experience substance abuse problems, mental health issues and often become less productive members of society as they struggle with the physical and psychological effects of sexual assault. Direct costs the community must pay include: the cost of responding to and investigating reports, prosecuting the perpetrator if an arrest was made, and possible incarceration of the

⁴ Population Information Program. (1999). *Population Reports: Ending Violence Against Women*. The Johns Hopkins University School of Public Health

⁵ Kilpatrick, D., Edmunds, C., Seymour, A. (1992). *Rape in America: A Report to the Nation*, The National Women's Study: National Institute of Drug Abuse, National Victim Center and National Crime Victims Research and Treatment Center at the Medical University of South Carolina, Washington, D.C.

⁶ Kilpatrick, D., Ruggiero, K. (2003) *Rape in Wisconsin: A Report to the State*. Charleston, SC: National Violence Against Women Prevention Research Center, Medical University of South Carolina

⁷ Kilpatrick, D., Edmunds, C., Seymour, A. (1992)

⁸ The Commonwealth Fund Survey of the Health of Adolescent Girls. The Commonwealth Fund, 1997.

⁹ Kendler, Kenneth S., et al. (2000). Archives of General Psychiatry. Medical College of Virginia Commonwealth University,

offender. However, criminal justice and offender costs are not the only costs to the community.

Studies have shown that victims of childhood sexual abuse often suffer problems into adulthood, ultimately making them less productive and successful members of society. Although different studies have produced different estimates, it is clear that prior sexual abuse puts up barriers for many women to lead fully productive lives. Surveys have found that 20 to 40 percent of the women on welfare studied say they were sexually abused as children.¹⁰ A 1991 survey, by the Bureau of Justice Statistics, found that more than 4 in every 10 women surveyed in state prisons reported that they had been sexually abused at least once before their current admission to prison.¹¹ Other studies have reported this number to be much higher. In addition, many women who have been involved in prostitution have reported high rates of sexual violence as children. A study found that close to 85 percent of prostitutes reported history of sexual abuse in childhood.¹²

PREVALENCE OF SEXUAL ASSAULT

Again, the prevalence of rape and sexual assault is difficult to accurately measure. Due to the nature of the crime, victims are often unwilling to report to police. Victim blaming, and a lack of the understanding of the dynamics of sexual assault by some in the criminal justice community, as well as the general public, come together to create an environment where the responsibility for the crime is placed on the victim. Rape can easily be called the most underreported violent crime in America.

¹⁰ DeParle, J. (November 28, 1999) *Early Sex Abuse Hinders Many Women on Welfare*. The New York Times. Section 1, 1;1

¹¹ Snell, T. (1994) *Women in Prison*. Bureau of Justice Statistics. U.S. Department of Justice

¹² The Council for Prostitution Alternatives. *Annual Report* (1991) Portland, Oregon

A national survey of American women found that only 16 percent of rapes had ever been reported to the police.¹³ This translates into one out of every six rapes reported to law enforcement. A study by the Bureau of Justice Statistics estimated that only 26 percent of completed and attempted sexual assault are reported to law enforcement officials.¹⁴ Although the statistics vary, they all show that there is a large difference between the number of sexual assaults reported, and those that occur.

A 1998 Bureau of Justice Statistics report estimated that almost 18 percent, or 17.7 million women, in the United States have been victims of rape or attempted rape sometime in their lives.¹⁵ Of the 12.1 million who have been raped, 39 percent, or 4.7 million women, were raped more than once.¹⁶ A recent study by the National Violence Against Women Prevention Research Center estimated that approximately 14.2 percent of adult women in Wisconsin have been victims of one or more completed forcible rapes during their lifetime.¹⁷ This suggests that the estimated number of adult women in Wisconsin who have ever been raped is over 290,000. This is a very conservative estimate because it does not include attempted rapes, statutory rapes, alcohol or drug facilitated rapes, incapacitation rapes, or other offenses that are considered sexual assault. This number also does not include any types of rapes that have been experienced by Wisconsin girls who are currently under the age of 18. This is significant because 2001 sexual assault statistics show that 48 percent of forcible rapes and 59 percent of all sexual

¹³ Kilpatrick, D., Edmunds, C., Seymour, A. (1992)

¹⁴ Rennison, Callie M. (2002). Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000. Bureau of Justice Statistics, U.S. Department of Justice

¹⁵ Bureau of Justice Statistics. (1998). Violence Against Women Survey. Washington, D.C.: Bureau of Justice Statistics, U.S. Department of Justice.

¹⁶ National Center for Victims of Crime. (1992). The National Women's Study. Arlington, VA.,

¹⁷ Kilpatrick, D., Ruggiero, K. (2003)

assaults in Wisconsin involved victims under the age of 18.¹⁸ If you apply this percentage to the entire female population, the number of women and girls who have ever been raped rises to 390,960.

The Wisconsin data that I will be using in this report comes from the Wisconsin Office of Justice Assistance (OJA). OJA is the state agency charged with collecting uniform crime reports (UCR) from law enforcement agencies around the state. During 2001, the most recent data on sexual assault available, an estimated total of 5,292 sexual assaults were reported to law enforcement agencies. However, for the purpose of this report I will only be considering assaults that were coded as forcible rape, forcible sodomy, and sexual assault with an object. These three categories comprise approximately 35 percent of the total sexual assaults reported to law enforcement in 2001. Cases of forcible fondling are also considered sexual assault, but will not be used in the statistics directly related to Wisconsin. (See Appendix B for a list of reported sexual assaults by county).

WHO ARE THE VICTIMS?

The vast majority of sexual assault victims are women. Nationally, females were more than six times as likely as males to be the victims of sexual assault and comprise 86 percent of all victims of sexual assault.¹⁹ Data from a 2002 study shows a slightly higher estimate. Between 1992 and 2000, female victims accounted for 94 percent of all completed rapes, 91 percent of all attempted rapes, and 89 percent of all completed and

¹⁸ Wisconsin Office of Justice Assistance, Statistical Analysis Center. (2003). *Sexual Assaults in Wisconsin 1999 -2001*.

¹⁹ Snyder, H. (2000) *Sexual Assault of Young Children as Reported to Law Enforcement: Victim, Incident, and Offender Characteristics*. Bureau of Justice Statistics, U.S. Department of Justice.

attempted sexual assaults.²⁰ In Wisconsin 86.8 percent of sexual assault cases reported to law enforcement involved female victims in 2001.²¹ However, the survivors of sexual assault include both women and men of all ages. In addition, there are some populations that may be especially vulnerable to sexual assault, due to age or economic factors.

Wisconsin statistics show that:²²

- Almost 60% of victims were under the age of 18.
- 73.5% of victims were white, 22.4% were black, and 4.2% were Asian, Native American, or other.
- Over 25% of victims were less than 13 years of age, with 32.8% of these assaults occurring at the victim's residence.

WHO ARE THE PERPETRATORS?

Perpetrators of sexual assault are likely to be someone the victim knows and often trusts. A Bureau of Justice Statistics report shows that 69 percent of rapes and sexual assaults in 2002 were committed by someone known to the victim.²³ Another report estimated this number as high as 84 percent of all sexual assaults being committed by someone known to the victim.²⁴

In Wisconsin:²⁵

- In 89.6% of cases the victim knew the perpetrator, 21.5% of the perpetrators were related to the victim, and 10.3% were strangers.

²⁰ Rennison, Callie M. (2002)

²¹ Wisconsin Office of Justice Assistance (2003)

²² *Ibid*

²³ Rennison, Callie M., Rand, M. (2003) *Criminal Victimization 2002*. Bureau of Justice Statistics, U.S. Department of Justice..

²⁴ National Women's Study, (1992). *Rape in America: A Report to the Nation*.

²⁵ Wisconsin Office of Justice Assistance. (2003)

- 96.5% of perpetrators were men.
- 32.7% of offenders were under the age of 18.
- 62.8% were white, 30.8% were black, and 6.4% were Asian, Native American, or other.
- 97% of cases involved one offender, 3% involved multiple offenders.

ARRESTS AND CONVICTIONS

The majority of reported sexual assaults do not result in an arrest or a conviction. A 1993 report to the U.S. Congress found that:²⁶

- 98% of rape victims will never see their attacker apprehended, convicted and incarcerated
- Over half of all rape prosecutions result in either a dismissal or an acquittal
- Less than half of those arrested for rape are convicted of rape, while 69% of murder arrests result in conviction. The average conviction rate for all felonies is 54%
- 21% of convicted rapists are never sentenced to time in jail or prison

In Wisconsin:²⁷

- 53.2% of reported cases resulted in an arrest.

COSTS OF RAPE

It is impossible to accurately estimate the economic costs of sexual assault to a victim/survivor, as well as the community. However, the annual victimization cost of

²⁶ *The Response to Rape: Detours on the Road to Equal Justice.* (1993). U.S. Congress. Report prepared by the Majority Staff of the Senate Judiciary Committee.

²⁷ There is no central location for collecting statistics on convictions for perpetrators of sexual assault.

rape has been estimated at over \$127 billion.²⁸ This is trailed by assault at \$93 billion per year, murder at \$61 billion and child abuse estimated at \$56 billion per year.²⁹ Rape has the highest estimated annual cost of any crime for victims.

The estimated cost for each sexual assault has been estimated at \$110,000 per victim.³⁰ However, because many rape victims are subjected to multiple victimizations the cost has been projected at \$87,000 per victim.³¹ This estimate includes short term medical care, mental health services, and the pain and suffering that reduces quality of life. A sexual assault results in profound trauma for the victims that can have lasting psychological effects.

To estimate the cost of rape in Wisconsin, I took the 1996 estimate, \$87,000, and adjusted for inflation to 2004 dollars. The cost per victim is now approximately \$104,000 per victim. Using this new estimate and multiplying by the number of 2001 reported forcible rapes, forcible sodomy and assault with an object (1,828), in Wisconsin the total victim cost of sexual assault approaches \$190 million annually. However, as mentioned previously sexual assault is underreported. To estimate that total victim costs of sexual assault in Wisconsin I have used two estimates. I assumed that the number of reported cases would not vary greatly from 2001 to 2004, and used 2001 numbers. I then used the two percentages of reporting discussed earlier to arrive at more accurate estimates of the actual sexual assault problem in Wisconsin. (See Table 1).

²⁸ Miller, T., Cohen, M. and Wiersema, B. (1996). *Victim Costs & Consequences: A New Look*. Washington, D.C.: National Institute of Justice Report, U.S. Department of Justice

²⁹ *Ibid*

³⁰ *Ibid*

³¹ *Ibid*

Table 1: Annual Victim Costs of Sexual Assault in Wisconsin

| Law Enforcement Reports* | Percentage of Reported Cases | Estimated Total Number of Sexual Assaults | Cost Per Victim | Estimated Total Victim Costs |
|--------------------------|------------------------------|---|-----------------|------------------------------|
| 1,828 | 16% | 11,425 | \$104,000 | \$1,188,000,000 |
| 1,828 | 26% | 7,031 | 104,000 | 731,000,000 |

* This number includes forcible rapes, forcible sodomy and assault with an object reported to law enforcement in 2001.

If the actual reported cases only represent 16 percent of the total sexual assaults in a year the annual victimization costs approach \$1.2 billion a year. Using the more conservative estimate of 26 percent of actual cases being reported to law enforcement, the estimated annual victimization cost of sexual assault in Wisconsin is \$730 million. These cost estimates most likely vastly underestimate the economic costs of rape and sexual assault. Not included in the cost per victim, or the total costs, are criminal justice costs: law enforcement response, judicial system response, corrections, and various other programs for offenders. Also, it is reasonable to state that pain and suffering costs may actually be higher than estimates. These costs also only reflect those incurred during a one year time period, they do not account for sexual assault victimization costs that occur in the years following the assault. Mental health services may be needed over a lifetime. Substance abuse may also become an issue. Again, it is difficult to estimate an accurate cost of sexual assault for the victim as well as the community.

An additional issue related to the costs of sexual assault is the sexual assault forensic exam. This exam is performed on sexual assault victims by either a nurse or physician to collect any evidence that may have been left on the victim's body after the attack. In Wisconsin, the cost of an exam can vary from approximately \$200 to \$1,000,

depending on the hospital. Wisconsin has no clear protocol for how to pay for these exams. Hospitals may charge the victim's insurance, the law enforcement agency, or directly bill the Crime Victim's Compensation Fund. Crime Victim's Compensation is managed by the Department of Justice and the Office of Crime Victim Services (OCVS). This can be a lengthy process, and in many cases victims have to prove they are cooperating with law enforcement. Costs that can be covered include: medical and mental health costs related to the crime, lost wages as a result of the crime, and any clothing or bedding that was held for evidence as a result of the crime. To qualify for compensation victims must report the crime to the police within 5 days and continue to cooperate with law enforcement. Victims have one year from when the crime occurred to apply. Bills then must first be submitted to insurance or other payment sources. However, even if victims follow all of these steps and are approved, they may still be responsible for some of the up-front costs of their insurance co-payment before they are fully compensated.

Some victims who have experienced assault may choose not to report to law enforcement, possibly out of fear of retaliation or even embarrassment that the crime occurred. Victims that choose not to report are eligible for the SAFE (Sexual Assault Forensic Exam) Fund, also administered by OCVS. The SAFE Fund only covers costs related to the exam, medication related to the crime, and lab testing. There is no requirement in Wisconsin, unlike other states, that victims have to be notified of either of these options by law enforcement or medical personnel.

SEXUAL ASSAULT SERVICES IN WISCONSIN

In 2003 sexual assault victim services programs provided services to over 15,000 unduplicated victims of sexual assault. They also responded to more than 26,000 information, hotline and referral calls. Combined these agencies expended over \$6.1 million on providing services to victims of sexual assault. However, in 2002 198 people who sought help did not receive services due to capacity, and in 2003 52 victims of sexual assault were unable to receive services.³²

The types of services provided by sexual assault service providers (SASPS) include: individual and group counseling, legal counseling, community education and outreach, as well as other victim related services. It is important to note that not all of the 72 counties in Wisconsin are currently served by sexual assault victim service agencies. In fact, about half of Wisconsin counties do not have sexual assault victim service providers. Currently, there are 43 programs that provide sexual assault services around the state, however some of these are located in the same counties.

The Wisconsin Coalition Against Sexual Assault (WCASA) provides support and training to these programs and also works to educate the general public around the issue of sexual assault. WCASA also focuses on policy development by doing advocacy in the legislature, as well as monitoring legislation that impacts service providers and victims of sexual assault. In addition, WCASA partners with the Department of Health and Family Services (DHFS) on a sexual assault awareness and prevention campaign.

³² Sexual Assault Victim Services (SAVS) Grant Program Final Report 2003

State Funding

The main funding from the State of Wisconsin for sexual assault services is administered by the Wisconsin Department of Justice (DOJ). The Sexual Assault Victims Services (SAVS) grant program funded 40 victim service agencies throughout the state in 2003. Approximately \$1.6 million was distributed statewide. The goal of the program is to provide money to expand, enhance and support services for sexual assault victims in the State of Wisconsin. SAVS is funded through the victim-witness surcharge, which is assessed against any person who is convicted of a misdemeanor or felony violation of state law.

Federal Funding

The State of Wisconsin also partners with the federal government to provide funding for programs to reduce sexual violence and provide services to victims. These programs include the administration of federal Victims of Crime Act (VOCA) and Violence Against Women Act (VAWA) money.

The Wisconsin Department of Justice, Office of Crime Victim Services (OCVS) is the agency charged with administration of VOCA in the state. VOCA grants are used to financially support programs that provide services to victims of violent crimes. In 2004 VOCA directed approximately \$1.2 million to programs that provided sexual assault services to victims. An additional \$1.9 million was directed to programs that provide direct services to both sexual assault and domestic violence victims.

Another state agency, the Wisconsin Office of Justice Assistance with funding from federal Violence Against Women Act (VAWA) grant programs provides funding

programs that work to help or reduce the number of sexual assault victims. In 2003 OJA distributed over \$350,000 on specific sexual assault programming. This included funding to victim services agencies as well as money to support specific sexual assault medical systems training. An additional \$919,000 was awarded to programs and projects that were concerned with both sexual assault and domestic violence. These included: specialized prosecution, specialized enforcement, programs at victim service agencies, coordinated community response team, medical system training. Also, OJA allocated over \$190,000 for the Justice System Training project, which trains those involved in the justice system around the issues of domestic violence and sexual assault.

The Department of Health and Family Services (DHFS) also is working to reduce sexual assault. DHFS manages a Sexual Assault Prevention Program in the Division of Public Health. Wisconsin also has a five year Rape Prevention and Education Grant from the U.S. Centers for Disease Control and Prevention that is administered by DHFS. Wisconsin's allocation is approximately \$780,000. A portion of the Preventive Health and Health Services Block Grant, also from the CDC to address general public health concerns, is used for sexual assault prevention services. This amount is currently around \$130,000.

Training

It recently became mandatory for new law enforcement recruits to receive twelve hours of sexual assault and twelve hours of domestic violence training. Currently, veteran police officers are not required to be trained on these issues. Two of the main training programs for law enforcement come from the Office of Justice Assistance (OJA) and the

Wisconsin Coalition Against Sexual Assault (WCASA). OJA operates the Justice System Training, which focuses on training not only on law enforcement but other justice system personnel. WCASA also does training for law enforcement officers around the issues of sexual assault.

The medical community also needs to be trained to respond to sexual assault victims appropriately. The availability of Sexual Assault Nurse Examiners (SANE) are an important part of responding to a victim. SANE nurses are specially trained in conducting forensic examinations, and providing psychological and emotional support to the victims. OJA partners with WCASA to provide a training program for SANE nurses. Currently, there are 270 trained SANEs and 24 SANE programs in Wisconsin. However, because some of these programs are located in the same county there are less than 24 counties in Wisconsin that currently have SANE nurses available.

RECOMMENDATIONS

Victimization Survey

To fully understand the problem of sexual assault in Wisconsin more accurate information needs to be collected. Combined, state, federal and victim service program expenditures reach over \$10 million dollars. Only a small portion of this money is directed towards prevention services. Again, this does not include money being spent by the criminal justice system, or costs the community must absorb. Total estimated victimization costs in Wisconsin range from \$730 million to over \$1 billion dollars annually. Wisconsin needs to do a complete victimization survey to fully understand the enormity of the problem of sexual assault. This will allow organizations concerned about victims, as well as policymakers, to see where funding should be directed. This will also

help them to design better and more effective prevention and intervention services. In *Rape in Wisconsin: A Report to the State* the authors give specific suggestions on how to design an effective and comprehensive victimization survey.³³ These should be considered.

Sexual Assault Forensic Exam Payment

Wisconsin should establish clear protocols and have a fund set up specifically to pay for sexual assault forensic exams. No victims should have to worry about payment, or receipt of a bill, for evidence collection of a crime. In theory, victims do not have to pay for this exam. However, anecdotal evidence shows that too many of them do. One example is the story of a victim who, after being assaulted in her apartment, moved because the memories were too painful. She left no forwarding address for the hospital to reach her and ended up with an outstanding bill that was eventually reflected on her credit report. Examples such as this one show how victims can continue to be traumatized after the assault has occurred. Again, there is no requirement for medical personnel to notify victims of these options. Adequate funding needs to be secured to pay for all victims of sexual assault.

A related recommendation is to increase funding for training for SANE nurses. Ideally, every emergency room should have one SANE, available 24 hours. The SANE's role is not only to administer the forensic exam but also to respond to the victims needs. Because of the amount of training required to become a SANE nurse (40 hours of classroom work and 40 hours of clinical work) it is often difficult to recruit SANE nurses. Training for SANE programs is currently funded by the Office of Justice Assistance.

³³ Kilpatrick, D., Ruggiero, K. (2003)

However, more funding should be made available to train additional nurses that could work in every county of the state.

Governor's Council on Sexual Assault

The Governor's Council on Domestic Abuse was created by the legislature to provide advice on policy related issues concerning domestic violence to elected officials and other state policymakers. The Council should be, at the minimum, expanded to include representatives from the field of sexual assault. However, to effectively demonstrate the importance of the issue, and to recognize that victims of domestic violence and sexual assault often deal with different issues, a separate council should be formed to represent these interests.

Mandatory In-Service Training for All Law Enforcement

To enhance the services that victims of sexual assault receive there should be adequate training for first responders. This includes law enforcement, as well as medical personnel. Currently, only new recruits are required to attend the 12 training on sexual assault and the 12 hour training on domestic violence. All law enforcement should be required to be trained on these issues. In addition, there should be expanded training opportunities and incentives for judicial and other criminal justice personnel.

Sexual Assault Services in Every County

Wisconsin has a mandate that domestic violence programs operate in all 72 counties. This is not true of sexual assault programs, which currently provide services to

less than half of the counties. All victims of sexual assault should have access to victim services agencies as well as medical, and criminal justice personnel who are trained to appropriately respond to their needs. Funding should be provided.

APPENDIX A

WISCONSIN SEXUAL ASSAULT LAWS

Sexual Assault includes both sexual intercourse and sexual contact. The penalty, or sentence, for sexual assault may include incarceration, a fine, probation, supervision, psychiatric counseling, and restitution.

First Degree Sexual Assault is a felony and includes:

- sexual intercourse or sexual contact without consent which causes pregnancy or great bodily harm, or
- sexual intercourse or sexual contact without consent accomplished by use or threat of use of a dangerous weapon, or
- sexual intercourse or sexual contact without consent while aided or abetted by one or more persons through the use or threat of force or violence.

Second Degree Sexual Assault is a felony and includes:

- sexual intercourse or sexual contact without consent through the use or threat of force or violence, or
- sexual intercourse or sexual contact without consent which causes injury, illness, disease, or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care, or
- sexual intercourse or sexual contact with a person known by the perpetrator to be unconscious or mentally ill or mentally deficient, or
- sexual intercourse or sexual contact without consent while aided or abetted by one or more person, or
- sexual intercourse or sexual contact with a person who is a patient or resident of an inpatient facility or a state treatment facility by a perpetrator who is an employee of that facility.

Third Degree Sexual Assault is a felony and is defined as sexual intercourse with a person without consent of that person.

Fourth Degree Sexual Assault is a misdemeanor and is defined as sexual contact with a person without consent of that person.

Spouses -- Marriage is not a bar to prosecution for sexual assault. A person may be prosecuted for sexually assaulting his/her spouse.

Appendix B

Sexual Assault Reporting by County (Counties in Bold have Sexual Assault Victim Service Agencies)

| COUNTY | 2000 COUNTY POPULATION | 2000 LAW ENFORCEMENT REPORTED SA CASES | 2001 Law Enforcement Reported SA cases | COUNTY | 2000 COUNTY POPULATION | 2000 LAW ENFORCEMENT REPORTED SA CASES | 2001 Law Enforcement Reported SA cases |
|--------------------|------------------------|--|--|-------------------|------------------------|--|--|
| Adams | 18,643 | 1 | na | Menominee | 4,562 | 4 | 1 |
| Ashland | 16,866 | 14 | 17 | Milwaukee | 940,164 | 1448 | 1285 |
| Barron | 44,963 | 59 | 78 | Monroe | 40,899 | 24 | 37 |
| Bayfield | 15,013 | 13 | 13 | Oconto | 35,634 | 5 | 6 |
| Brown | 226,778 | 145 | 374 | Oneida | 36,776 | 74 | 55 |
| Buffalo | 13,804 | 0 | 0 | Outagamie | 160,971 | 217 | 271 |
| Burnett | 15,674 | 0 | 5 | Ozaukee | 82,317 | 48 | 37 |
| Calumet | 40,631 | 13 | 20 | Pepin | 7,213 | 5 | 7 |
| Chippewa | 55,195 | 44 | 35 | Pierce | 36,804 | 12 | 11 |
| Clark | 33,557 | 30 | 54 | Polk | 41,319 | 18 | 17 |
| Columbia | 52,468 | 42 | 34 | Portage | 67,182 | 62 | 59 |
| Crawford | 17,243 | 3 | 5 | Price | 15,822 | 9 | 6 |
| Dane | 426,526 | 198 | 165 | Racine | 188,831 | 175 | 184 |
| Dodge | 85,897 | 83 | 65 | Richland | 17,924 | 7 | 12 |
| Door | 27,961 | 40 | 20 | Rock | 152,307 | 238 | 220 |
| Douglas | 43,287 | 97 | 106 | Rusk | 15,347 | 2 | 2 |
| Dunn | 39,858 | 49 | 55 | Sauk | 55,225 | 74 | 67 |
| Eau Claire | 93,142 | 134 | 130 | Sawyer | 16,196 | 9 | 5 |
| Florence | 5,088 | 5 | na | Shawano | 40,664 | 73 | 46 |
| Fond du Lac | 97,296 | 108 | 97 | Sheboygan | 112,646 | 110 | 127 |
| Forest | 10,032 | 9 | 10 | St. Croix | 63,155 | 46 | 35 |
| Grant | 49,597 | 46 | 26 | Taylor | 19,680 | 10 | 13 |
| Green | 33,647 | 49 | 42 | Trempealeau | 27,010 | 20 | 40 |
| Green Lake | 19,105 | 18 | 30 | Vernon | 28,056 | 12 | 13 |
| Iowa | 22,780 | 25 | 18 | Vilas | 21,033 | 31 | 28 |
| Iron | 6,861 | 5 | 1 | Walworth | 93,759 | 72 | 62 |
| Jackson | 19,100 | 34 | 27 | Washburn | 16,063 | 6 | 6 |
| Jefferson | 74,021 | 121 | 97 | Washington | 117,493 | 63 | 71 |
| Juneau | 24,316 | 10 | 2 | Waukesha | 360,767 | 171 | 169 |
| Kenosha | 149,577 | 155 | 170 | Waupaca | 51,731 | 64 | 48 |
| Kewaunee | 20,187 | 1 | 4 | Waushara | 23,154 | 27 | 15 |
| La Crosse | 107,120 | 144 | 103 | Winnebago | 156,763 | 170 | 132 |
| Lafayette | 16,137 | 5 | 13 | Wood | 75,555 | 45 | 45 |
| Langlade | 20,740 | 0 | 1 | | | | |
| Lincoln | 29,641 | 40 | 31 | | | | |
| Manitowoc | 82,887 | 109 | 105 | | | | |
| Marathon | 125,834 | 190 | 159 | | | | |
| Marinette | 43,384 | 19 | 10 | | | | |
| Marquette | 15,832 | 0 | 9 | | | | |

