



**UW-STEVENS POINT  
SEXUAL ASSAULT REPORT FORM**

The purpose of this form is to aid the University of Wisconsin-Stevens Point in the gathering of statistical data concerning the occurrence of sexual assault on the campus or in the vicinity of the campus. Wisconsin law requires every employee of the University to report sexual assault if she/he observes the incident or if it was reported to her/him. This report will not be used as an investigative tool or in any way to identify the victim.

**Reported by** \_\_\_\_\_ **Date of Report** \_\_\_\_\_

**Information about incident:** Day/Date \_\_\_\_\_ Time \_\_\_\_\_ Year Incident Occurred \_\_\_\_\_

**How was the information provided to you?**

- \_\_\_\_\_ 1<sup>st</sup> Hand (Directly from victim to you)
- \_\_\_\_\_ 2<sup>nd</sup> Hand (Staff member, roommate, or friend received information first hand and relayed it to you)
- \_\_\_\_\_ 3<sup>rd</sup> Hand (You overheard a conversation about the incident, etc.)

**Location of incident:**

- On Campus \_\_\_\_\_ In Residence Hall \_\_\_\_\_
- Off-Campus (within City limits) \_\_\_\_\_
- Contiguous Public Property (public lands within two blocks of Campus) \_\_\_\_\_
- Non-Campus (UWSP buildings/grounds away from the Main Campus such as CWES, Treehaven, etc.) \_\_\_\_\_
- Other UW System Property (please be specific) \_\_\_\_\_

**What Degree of Sexual Assault:** (see attached description of each degree)

\_\_\_\_\_ First \_\_\_\_\_ Second \_\_\_\_\_ Third \_\_\_\_\_ Fourth \_\_\_\_\_ Degree Unknown

**Please explain why you chose that degree:** \_\_\_\_\_

**Relationship of the Assailant and Victim:**

\_\_\_\_\_ Acquaintance \_\_\_\_\_ Stranger \_\_\_\_\_ Unknown if victim and assailant were acquainted

**Was either the victim or assailant under the influence of alcohol or other drugs?**

Victim: Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_  
 Assailant: Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

**Please provide as much detail as you have (no names needed):** \_\_\_\_\_

**Did the victim request investigation?** (if known) \_\_\_\_\_ Yes \_\_\_\_\_ No

**If so, by whom?** \_\_\_\_\_ Protective Services \_\_\_\_\_ Police

**Services Sought:**

- \_\_\_\_\_ Protective Services
- \_\_\_\_\_ University Health Service
- \_\_\_\_\_ St. Michael's Hospital
- \_\_\_\_\_ Counseling Center
- \_\_\_\_\_ Student Conduct
- \_\_\_\_\_ Residence Life
- \_\_\_\_\_ Sexual Assault Victims Services
- \_\_\_\_\_ Affirmative Action Office

**Please send completed form to:** Kris Hoffenberger, Student Rights and Responsibilities, Delzell Hall

---

## WISCONSIN DEFINITIONS OF SEXUAL ASSAULT – STATUTORY LANGUAGE

Current as of April 20, 2006

1) **Wis. Stat. sec. 940.225(1) FIRST DEGREE SEXUAL ASSAULT.** Whoever does any of the following is guilty of a 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.

*For a Class B felony, the total sentence may not exceed sixty (60) years, with a maximum forty (40) year term of confinement and twenty (20) years extended supervision. Wis. Stat. sec. 939.50(3)(b)).*

2) **Wis. Stat. sec. 940.225(2) SECOND DEGREE SEXUAL ASSAULT.** Whoever does any of the following is guilty of a 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. (*Consent is not an issue.*)

(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 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. (*Consent is not an issue.*)

(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 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.

*For a Class C felony, a fine may not exceed \$100,000, the total sentence may not exceed forty (40) years, with a maximum twenty-five (25) year term of confinement and extended supervision may not exceed fifteen (15) years. Wis. Stat. sec. 939.50(3)(c).*

3) **Wis. Stat. Sec. 940.225(3) THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual

intercourse with a person without the consent of that person is guilty of a Class G felony. 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.

*Penalties for a Class G felony are a fine not to exceed \$25,000, total sentence may not exceed 10 years, the maximum term of confinement may not exceed 5 years and extended supervision may not exceed 5 years. Wis. Stat. sec. 939.50(3)(d).*

4) **Wis. Stat. Sec. 940.225(3m) FOURTH DEGREE SEXUAL ASSAULT.** Except for sexual contact as described under sub. (3)(c) or (d), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

*Penalties for a Class A misdemeanor are a fine not to exceed \$10,000 or imprisonment not to exceed 9 months, or both. Wis. Stat. sec. 939.51(3)(a).*

5) **Wis. Stat. sec. 940.225(6) MARRIAGE NOT A BAR TO PROSECUTION.** A defendant shall not be presumed to be incapable of violating this section because of marriage to the complainant.

6) **Wis. Stat. sec. 940.225(7) DEATH OF VICTIM.** This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse.

### 7) Statutory Definitions

"CONSENT", as used in this section, means words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. Consent is not an issue in alleged violations of sub. (2)(c), (cm), (d), (g), (h) and (i). ...

"CORRECTIONAL INSTITUTION" means a jail or correctional facility,...a secured correctional facility,...or a secure detention facility...

"CORRECTIONAL STAFF MEMBER" means an individual who works at a correctional institution, including a volunteer.

"INTOXICANT" means any alcohol beverage, controlled substance, controlled substance analog or other drug, any combination of a controlled substance, controlled substance analog or other drug or any combination thereof.

"SEXUAL CONTACT" means any of the following:

1. Intentional touching by the complainant or defendant, either directly or through clothing by the use of any body part or object, of the complainant or defendant's intimate parts if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under s. 940.19 (1).

2. Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or sexually gratifying the defendant.

3. For the purpose of sexually degrading or humiliating the complainant or sexually arousing or gratifying the defendant, intentionally causing the complainant to ejaculate or emit urine or feces on any part of the defendant's body, whether clothed or unclothed.

"SEXUAL INTERCOURSE" includes [vulvar penetration] as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction. The emission of semen is not required.

---