The Wisconsin Coalition Against Sexual Assault, Inc. (WCASA) is a membership agency comprised of organizations and individuals working to end sexual violence in Wisconsin.

Our mission is to create the social change necessary to end sexual violence. WCASA is committed to effecting changes in policies, in systems, and in society with the goals of improving services for victims/survivors of sexual assault and ending sexual violence. These goals are reflected in the initiatives and programs supported and driven by WCASA and are informed by WCASA’s Policy Advisory Committee which is comprised of experts in law enforcement, victim services and prosecution and others.

The 2011-12 WCASA Legislative Agenda is a living document. We encourage legislators, local sexual assault service providers, sexual assault survivors, professionals and community members to contact us with other legislative ideas throughout the 2011-2012 Legislative Session.

**WCASA plans to pursue the following policy improvements during the 2011-2012 State Legislative Session:**

- Budget Advocacy for Sexual Assault Victim Services in Wisconsin
- Improvements to the Criminal Justice System
  - Crime Victim Rights (Chapter 950)
  - Enhancing Prosecutions of Sexual Assault
- Victims’ Access to Civil Actions Against Perpetrators
- Sexual Assault Prevention Initiatives

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Budget Advocacy for Sexual Assault Victim Services in Wisconsin

Sexual assault is a heinous crime. Victims suffer significant and long-lasting emotional and physical trauma. What’s more, the costs associated with sexual assault go well beyond the trauma experienced by the victim at the time of the assault and include significant impacts on other family members, neighborhoods, schools, and workplaces.

Sexual Assault Service Providers (SASPs) play a vital role in assisting thousands of victims of sexual assault every year. Wisconsin’s 42 SASPs provide critical victim services; help victims as they seek medical attention, and help victims maneuver through the criminal justice system. SASP’s also engage in prevention education in our schools and collaborate with community partners to enhance systems response to sexual assault.

According to the Office of Justice Assistance 2009 Sexual Assaults in Wisconsin report:

- 4,633 sexual assaults were reported to law enforcement agencies*
- Children aged 15 and under represented over 2/3 of all victims
- Victims under the age of 21 represented 78% of sexual assault victims
- Over 90 percent of sexual assaults were committed by someone known to the victim.

*This figure represents just a tip of the iceberg, since on average 80% of Sexual Assaults go unreported (CDC Report, 2006).

Unfortunately, the demand for these services is rising dramatically. We have documented this increase through questionnaires distributed during the spring and summer of 2010 to SASP leaders. Many SASPs have seen increases in the number of victims coming to them for services on the order of 200 and 300 percent over the last few years.

2010 WCASA SASP Survey:

- SASPs had an average caseload increase of 35% between 2005 and 2009
- Several SASPs experienced caseload increases of over 100% during that time period.

Many local providers are reporting to us that they are simply unable to meet the demand. We are seeing this in the establishment of waiting lists for some counseling services. There are also a number of communities and populations in the state that are currently grossly under-served or unserved. Providers are frustrated that they do not have the resources needed to reach out to them.

This has led WCASA to take on funding of sexual assault services as its number one legislative priority for the coming session and budget development period.
Improvements to the Criminal Justice System

Crime Victim Rights

Wisconsin had long been considered a national leader in establishing and protecting the rights of crime victims. As part of a nationwide movement to provide crime victims with rights comparable to those of criminal defendants, Wisconsin passed the Crime Victims Rights Amendment to the state constitution in 1993. In 1997, the Legislature more clearly defined crime victims’ rights in chapter 950. During this session we hope to add vital enhancements to the chapter, such as:

Victim’s Right to be Accompanied by an Advocate - A sexual assault advocate can provide invaluable support to victims. An advocate is the only person whose sole concern is the victim’s well-being and who has no obligation to any other individual or institution. By providing emotional support and information, advocates can help victims restore some of the control a victim has lost over her or his own life as a result of the assault.

Victims deserve to have the support of an advocate as they try to navigate through many of the systems they encounter in the wake of their assault. For instance, many victims find the prospect of reporting and prosecuting a sexual assault very intimidating. Victims are reluctant to report due to shame, embarrassment, guilt, and a fear that no one will believe them. In order to empower victims and increase the rate of reporting, WCASA believes that every sexual assault victim should have the right to be accompanied by a trained sexual assault advocate during all stages of the criminal justice process—during the sexual assault forensic exam, law enforcement interviews, and any court proceedings—if an advocate’s presence is requested by the victim.

Enhancing Prosecutions of Sexual Assault

Funding for District Attorneys in WI – Funding and staffing of DA’s offices have been a concern for several years. According to a 2008 state audit, Wisconsin had 117 fewer prosecutors to handle the existing caseload and that staffing trends were moving in the wrong direction. The same audit showed that while the number of prosecutors has decreased by 4.4%, the number of cases referred for prosecution increased 11.5%. WCASA supports adequate funding and staffing of DA’s offices in Wisconsin to ensure that there is effective prosecution of criminal cases, including sexual assault.

Video Testimony for Persons with Disabilities – Wisconsin currently allows prosecutors to use an audiovisual recording of a statement of a child sexual assault victim in a criminal trial or hearing (chapter 908.08). This has been an invaluable tool in the prosecution of child sexual assault cases. However this statute is currently limited to child victims age 16 or younger. WCASA is supportive of legislation that would expand this provision to include victims with disabilities. Persons with disabilities are targeted by perpetrators at alarmingly high rates, and allowing a prosecutor to use an audio/visual recording of a victim’s statement could make it easier to hold the offender accountable.
Victims’ Access to Civil Actions Against Perpetrators

WCASA recognizes that Criminal Justice System may not be accessible for all survivors of Sexual Assault, nor is it the only option. Therefore it is important to look beyond Criminal Justice System for additional ways to hold perpetrators accountable. WCASA plans to pursue the following two proposals:

**Child Victims Act** – Under current law the statute of limitations for an injury resulting from being sexually assaulted as a child is any time before the victim reaches the age of 35. A statute of limitations for a civil action on sexual assaults against children is unreasonable because it ignores the nature of the crime, the particular vulnerability of child victims and the lasting impacts of trauma inflicted on children. WCASA supports legislation that would remove the time limit for bringing those actions.

Victims of child sexual assault may not attempt to bring an action against their perpetrators for a number of reasons. They are often told not to “tell”, that no one will believe them, that they or people they love will get in trouble if anyone finds out. The sexual nature of these crimes adds to the vulnerability of child victims, and it should not be surprising that the trauma they undergo can impact them for long periods of time. Having an age after which a victim may not seek justice is unreasonable and doesn’t fit the severity of child sexual assault.

**Support a Gender Violence Act** - WCASA supports legislation that will allow survivors of gender-based violence, such as sexual assault and domestic violence, to sue their attacker in civil court for monetary damages or injunctive relief. A specific civil remedy is needed for victims of gender-based violence because current civil and criminal laws do not adequately address gender-based crimes. An overwhelming majority of rapists and batterers are never prosecuted or held accountable for the harm they cause to victims and society.

Currently most victims of gender-based violence in Wisconsin are not covered by a civil statute that explicitly provides them with the right to file a lawsuit against a perpetrator. As a result, victims and their families, businesses, and government programs are forced to pay for the enormous financial costs associated with such violence. The Gender Violence Act (GVA) gives survivors a tool for shifting the financial burdens of sexual assault and domestic violence back to where they belong—in the pockets of those who batter and rape.
Sexual Assault Prevention Initiatives

WCASA’s work encompasses both intervention and prevention. For sexual violence to be eradicated, it must be met with a comprehensive response; this includes interceding where violence is happening to provide safety, support, and resources to those impacted by it (intervention), as well as educational outreach and social climate change which informs behavioral choices people make and precludes sexual violence from occurring in the first place (prevention). We see these activities as two sides of the same coin. As with any disease, conflict, or endeavor, it is not enough to meet the challenges head-on – we must be a step ahead of the issue; we must be upstream, investigating the root causes of the issue, to be able to prevent it from happening again in the future.

Education on Sexual Assault in Schools – WCASA recognizes the need to step up sexual assault prevention efforts in our schools. Illinois is currently considering legislation to examine ways to teach sexual assault prevention to our children. This legislation, also referred to as “Erin’s Law”, could serve as a model for Wisconsin. WCASA is committed to looking at this and other ways to strengthen the sexual assault prevention in our schools.

If you have any questions about the agenda items please contact John Keckhaver at john@keckhaver.com
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