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**What you need to know…**
At the University of Wisconsin–River Falls (UWRF), we are committed to the prevention of all forms of sex-based abuse and violence. Any form of sexual assault is a serious action that demands our immediate attention.

What is sexual assault?
Sexual assault is any sexual contact made without consent. Consent must be freely given with overt words or actions that clearly communicate an individual’s desire to engage in sexual activities. Consent is a clear yes, not the absence of a no. Consent cannot legally be obtained if an individual is incapacitated due to alcohol or other drugs, is unconscious or asleep, or has limited mental capacity. Examples of sexual assault include unwanted touching, kissing, fondling, or penetration of the mouth, vagina, or anus with a finger, penis or object.

Specific examples of sexual assault
- You agreed through words to do one thing, but were forced to do more than you agreed to.
- While you were incapacitated from alcohol or drugs, someone had sex with you or engaged in sexual activity with you. You may have been asleep, passed out, too intoxicated to know what was happening or were unable to stop it.
- It started with kissing and when you said no, the other person continued. You became frozen, did not participate, but the other person had sex with you anyway.
- Your partner forced you to have sex when you did not want to.

Wisconsin state statutes define sexual assault
Sexual assault is any forced or coerced sexual intercourse or contact. It is a crime of violence in which assailants, whether known to the victim or not, are motivated by a desire to humiliate and/or exert power over the victim. (Refer to Wisconsin State Statutes 940.225 and 948.02.) In short, any sexual contact which you do not want is sexual assault.

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.

The four degrees of sexual assault in Wisconsin are defined as:

**First Degree Sexual Assault**
- Sexual intercourse or sexual contact without consent which causes pregnancy or inflicts great bodily harm, or
- Sexual intercourse or sexual contact without consent accomplished by using, or threatening to use, a dangerous weapon, or
- Sexual intercourse or sexual contact without consent while aided by one or more persons.

**Second Degree Sexual Assault**
- Sexual intercourse or sexual contact without consent through the use or threat of violence, or
- Sexual intercourse or sexual contact without consent which causes injury, including 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.

**Third Degree Sexual Assault**
- Having sexual intercourse with a person without that person’s consent.

**Fourth Degree Sexual Assault**
- Having sexual contact with a person without that person’s consent.

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

**First degree sexual assault** is a class B felony. A person found guilty of first degree sexual assault may be imprisoned up to 20 years.

**Second degree sexual assault** is a class C felony. One found guilty of second degree sexual assault can be imprisoned not more than 10 years and/or fined not more than $10,000.

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