



# TITLE IX Sexual Assault Resource for UWRF Students

What you need to know...

**UNIVERSITY OF  
WISCONSIN** **River Falls**

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.

**Third degree sexual assault** is a class D felony. The penalty for a third degree sexual assault is imprisonment for not more than five years and/or a fine of not more than \$10,000.

**Fourth degree sexual assault** is a class A misdemeanor. The penalty for fourth degree sexual assault is imprisonment for not more than nine months and/or a fine of not more than \$10,000.

## Your options after a sexual assault

What you do is a personal decision. However, it is important that you know you have choices about how to take care of yourself and how to report the assault. UWRF is committed to providing resources to assist you with whatever you choose to do. Our first and foremost concern is your safety.

### **Campus Victim Advocate – a Confidential Resource**

The UWRF Campus Victim Advocate provides immediate support, safety planning and resources. The Campus Victim Advocate is someone you can confidentially report to and with whom you can discuss options before deciding your next steps without initiating a university investigation. To set up an appointment with the Campus Victim Advocate, please call Turningpoint directly at 715-425-6751 or 1-800-345-5104 (Turningpoint 24-hour crisis line).

### **Report to the university**

If you want to report the assault to the university, especially if it happened on-campus or the person who assaulted you is a UWRF student, please contact the Title IX Coordinator Jennifer Larimore at 715-425-4603.

The Title IX Coordinator can connect you with university resources, assist with starting an investigation, and implement interim measures such as temporary or permanent no-contact orders, academic support, and housing accommodations.

### **Report to the University Police**

If you would like to report the assault to the police, contact University Police at 715-425-3133 to speak to an officer or call 911.

*\*You can report the assault to both the police and the university. These are two different and independent processes, but will likely initiate some type of investigation.*

## What happens when I report to the university?

You will have the opportunity to meet with the Title IX Coordinator to discuss your complaint. The Title IX Coordinator will talk to you about the process, coordinate potential interim measures, and share information about resources available at the university and in the community.

The Title IX Coordinator may refer your complaint to the Office of Student Conduct & Community Standards for investigation and will discuss with you investigation procedures and the process for communicating outcomes.

### **UWRF Title IX Process Advisers**

Title IX Process Advisers help students understand their disciplinary rights and the disciplinary process under UWS 17 (Non-Academic Misconduct) and Title IX. They help students understand and comply with no-contact orders, alternate housing, and academic changes.

**Reporting Party Process Adviser** Chantel Mitchell, Violence Prevention Coordinator, 123X Hagestad Hall. 715-425-3884

**Responding Party Process Adviser** Keven Syverson, Assistant Director Health Promotions, 211 Hagestad Hall. 715-425-3293

# Victim's Bill of Rights

As a student at UWRF, you have the following rights:

- To feel safe on campus.
- To be informed of reporting options and receive assistance in reporting.
- To be informed of counseling and supportive services.
- To be informed of options for changing academics or living situation.
- To have a support person with you in any disciplinary hearing regarding your complaint.
- To be informed of the outcome of a disciplinary hearing.
- To be informed if an appeal is filed and the ability, as the victim, to file an appeal regarding the outcome of the disciplinary hearing.
- To be informed of the outcome of the appeal, should one be requested.

# Campus and Community Resources

## UWRF Student Health and Counseling Services

Provides free, confidential services by mental health and medical professionals.

- Counseling Services, 715-425-3884
- Student Health Services, 715-425-3293 - covers many health services for students at the locations below:
  - Pierce County Reproductive Health Services, 715-425-8003. STD testing and treatment, emergency contraception, urine pregnancy testing and more.
  - Vibrant Health Family Clinic, 715-425-6701. STD testing, emergency contraception, urine pregnancy testing and more.

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## UWRF Violence Prevention Coordinator

The Violence Prevention Coordinator (VPC) is a university employee who plans, implements, and evaluates theory-and evidence-informed sexual and intimate partner violence, sexual harassment and gender-based violence, and stalking (sexual/intimate partner violence) prevention strategies, policies, programs, and services to support success. The VPC can be contacted at 123X Hagestad Hall, 715-425-3884.

## Turningpoint

Safety, support and services to victims and survivors of sexual assault and violence. 715-425-6751 or 1-800-345-5104 (24-hour crisis line)

## Sexual Assault Response Team (SART)/Sexual Assault Nurse Examiner (SANE)

Forensic healthcare, education and advocacy for victim survivors of sexual violence. 715-425-6443 (24-hour forensic nurse examinations)