



Wisconsin's Sexual Assault Victim Amnesty Law

What You Should Know

2015 Wisconsin Act 279, became effective on March 25, 2016. It provides amnesty from certain underage drinking citations and University of Wisconsin schools disciplinary actions.

I. When does Amnesty apply?

The law provides amnesty from the specific sanctions and penalties outlined in section II., below, when ALL OF THE FOLLOWING are true:



1. The victim or the bystander requests emergency assistance in connection with the crime or the underage person encounters law enforcement at a medical facility at which the victim received treatment in connection with one of the following crimes:

- 940.22(2) Sexual contact by a therapist
- 940.225 Sexual assault
- 940.302 Human trafficking
- 948.02(1) First degree sexual assault of a child
- 948.02(2) Second degree sexual assault of a child
- 948.025 Engaging in repeated acts of sexual assault of the same child
- 948.05 Sexual exploitation of a child.
- 948.051 Trafficking of a child.
- 948.055 Causing a child to view or listen to sexual activity.
- 948.06 Incest with a child
- 948.07 Child enticement.
- 948.075 Use of a computer to facilitate a child sex crime.
- 948.08 Soliciting a child for prostitution.
- 948.085 Sexual assault of a child placed in substitute care.
- 948.09 Sexual intercourse with a child age 16 or older
- 948.095 Sexual assault of a child by a school staff person



2. The underage person remains at the scene until emergency assistance arrives and cooperates with providers of emergency assistance and provides any requested information (unless the underage person lacks capacity to cooperate). Or, if law enforcement is encountered at a medical facility, the underage person cooperates with the officer and provides any requested information (unless the underage person lacks capacity to cooperate).



3. The victim (or bystander) does not falsely claim amnesty knowing the fact situation that he or she reports does not exist.

II. Which sanctions and penalties are addressed by the law?

When the conditions outlined in Section I., above, are met, the law provides amnesty from the following UW campus sanctions:

Enrollment restrictions on a course or program; Removal from a course in progress; Suspension or expulsion; Exclusion from student housing.

When the conditions outlined in Section I., above, are met, the law provides amnesty from penalties related to the following underage drinking violations:

- | | |
|------------------------------|---|
| Wis. Stat. § 125.07 (4)(a)1. | Procures or attempts to procure alcohol beverages from a licensee or permittee. |
| Wis. Stat. § 125.07 (4)(a)2. | Unless accompanied by a parent, guardian or spouse who has attained the legal drinking age, possesses or consumes alcohol beverages on licensed premises. |
| Wis. Stat. § 125.07 (4)(a)3. | Enters, knowingly attempts to enter or is on licensed premises in violation of Wis. Stat. § 125.07 (3)(a) [presence in places of sale]. |
| Wis. Stat. § 125.07 (4)(a)4. | Falsely represents his or her age for the purpose of receiving alcohol beverages from a licensee or permittee. |
| Wis. Stat. § 125.07(4)(b) | Any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age who knowingly possesses or consumes alcohol beverages is guilty of a violation, except as provided in Wis. Stat. § 125.07(4)(bm) [possessing alcohol beverages in the course of certain employment]. |

III. How can I find free local sexual assault services?

- National Sexual Assault/RAINN Hotline: Call 24/7, 1-800-656-HOPE (4673)
- Wisconsin Coalition Against Sexual Assault: www.wcasa.org
- WI Department of Justice Office of Crime Victim Services: Victims call toll-free 1-800-947-3529 during business hours or visit us online: www.doj.state.wi.us/ocvs.

This document is available online at www.doj.state.wi.us/ocvs/campus-sexual-assault