



To: Members of the State Assembly Committee on Judiciary
From: Wisconsin Coalition Against Sexual Assault
Subject: Testimony in Support of AB 252: Statute of Limitation for 2nd and 3rd degree Sexual Assault
Date: September 17, 2015

Good morning, my name is Dominic Holt, public policy and communications coordinator for the Wisconsin Coalition Against Sexual Assault (WCASA). WCASA is a statewide membership agency comprised of organizations and individuals working to end sexual violence in Wisconsin. Among these are the 51 sexual assault service provider agencies throughout the state that offer support, advocacy and information to survivors of sexual assault and their families.

WCASA thanks Chairman Ott and Vice Chairman Horlacher for their leadership in bringing this important bill before the committee today. WCASA also thanks Senators LeMahieu and Lassa and Representatives Kerkman and Goyke, as their sponsorship of this legislation, and all of the cosponsors, help illustrate the fact that addressing sexual violence requires a bipartisan effort.

After all, sexual violence does not discriminate. It affects Wisconsinites from every walk of life and every part of the state. Furthermore, the estimated numbers of survivors in Wisconsin are staggering. An estimated 390,000 women — essentially one in five — have been raped in Wisconsin.ⁱ An estimated 912,000 women have experienced sexual violence other than rape in the state.ⁱⁱ And an estimated 507,000 men have experienced sexual violence other than rape in Wisconsin.ⁱⁱⁱ

To help address this matter, this bill would expand from six years to 10 years the criminal statute of limitations for commencing prosecution for second and third degree sexual assault. WCASA supports Assembly Bill 252 for several reasons.

First, WCASA believes survivors of sexual violence deserve justice no matter how long it takes. Survivors need and deserve as much time as possible to gather the strength, courage, and support necessary to report the crime to law enforcement and to participate fully in the often lengthy and difficult criminal justice process. Many survivors are unable or unwilling to come forward until long after the assault occurred, because of the scrutiny, blame, fear, intimidation, and shaming that survivors commonly face.

WCASA also believes our communities are safer when we hold sexual assault perpetrators accountable, especially since many are serial perpetrators. Widening the window for reporting and prosecuting sexual assault increases the probability that the criminal justice system will bring perpetrators to justice. This, in turn, will reduce the number of assaults in the end and make our communities safer.

Furthermore, this bill is the logical next step in the legislature's evolution on this matter. Over the last quarter-century, Wisconsin has increasingly lengthened or abolished its statute of limitations for child sexual assault. And most recently in 2011, Wisconsin Act 282 abolished the statute of limitations for first-degree sexual assault and attempted first-degree sexual assault of

an adult victim. This history illustrates the legislature's acknowledgment that 1) an arbitrary time period should not prevent the criminal justice system from prosecuting sexual assault, and 2) the length of that time period gauges how seriously a state takes sexual violence.

This legislation will also bring Wisconsin in line with other states across the nation. For offenses comparable to our second and third degree sexual assault, 35 other states and the District of Columbia have set their statute of limitations to more than six years — with the vast majority of them at 10 years or more.^{iv}

Lastly, in the 2014 National Defense Bill, Congress repealed the military's five-year statute of limitations on sexual assault and sexual assault of a child. Thus, at both the state and federal level, the natural evolution to expand or abolish statute of limitations for sexual assault continues.

By supporting AB 252, this committee has an opportunity to show that Wisconsin is willing, once again, to do its part to help survivors seek justice and make our communities safer.

Thank you for your consideration. If you have any questions, you can reach me at dominich@wcasa.org or at the phone number above.

ⁱ Prevalence estimates from the National Intimate Partner and Sexual Violence Survey: 2010 Summary Report. Published 2011. Centers for Disease Control and Prevention.

ⁱⁱ *ibid.*

ⁱⁱⁱ *ibid.*

^{iv} Ericksen and Knecht. Statutes of Limitations for Sexual Assault: A State-By-State Comparison. Current as of August 21, 2013. The National Center for Victims of Crime. The list includes: Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming.