

## **Consent**

**Consent:** Words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact.

**Excludes:**

Person with mental illness which impairs ability

Person who is unconscious

Person incapacitated by drugs/alcohol

Person under the age of 18

**Sexual Contact:** Intentional touching (direct or through clothing) for the purpose of sexually degrading/humiliating the victim, or sexually arousing or gratifying the defendant.

**Sexual Intercourse:** Vaginal, oral or anal intercourse, or other intrusions of any part of person's body or any object into the genital or anal opening. Emission of semen is not required.

## **Definitions**

**Offense:** Least serious of violations, equal to municipal violations, minor traffic offenses, etc. Punishable only by fine/forfeiture, community service, restitution, etc.

**Misdemeanor:** Criminal violation, more serious than Offense but less serious than Felony. Punishable by up to 1 year in jail, \$10,000 fine.

**Felony:** Most serious of criminal violations. Punishable by 1+ years in prison and more than \$10,000 fine.

**Sexual Assault Registration:** Required for any person convicted of a sexual assault related crime. There are different levels of registration and community notification.

[familywatchdog.us](http://familywatchdog.us) This site shows where any sex offender lives

[youtube.com](http://youtube.com) Tea- Consent video

## What is the Wisconsin Age of Consent?

The Wisconsin Age of Consent is **18 years old**. In the United States, the **age of consent** is the minimum age at which an individual is considered legally old enough to consent to participation in sexual activity. Individuals aged 17 or younger in Wisconsin are not legally able to consent to sexual activity, and such activity may result in prosecution for **statutory rape**.

Wisconsin statutory rape law is violated when a person has consensual sexual intercourse with an individual under age 18. There is no close in age exemption, but a marital exemption exists, although it only extends to 16 and 17 years old.

Certain situations can affect these laws. Many places around the world have a **“close in age exemption”**, meaning that a sexual act in which one or both partners are under the age of consent would not be considered criminal if the partners' age difference is within the limit set by the law. In addition, in some areas the age of consent is lowered or completely void if the sexual partners are married. On the other side of the fence, the age of consent can rise in certain scenarios, for instance if the older party has authority over the younger (a teacher, therapist, etc.).

## Punishments for Violating the Age Of Consent in Wisconsin

Wisconsin has eight statutory **sexual abuse charges** on the books which are used to prosecute age of consent and child abuse related crimes within the state. One or more of these charges may be used to **prosecute violations** of the Wisconsin Age of Consent, as **statutory rape** or the Wisconsin equivalent of that charge.

The severity of the criminal charge (felony, misdemeanor, etc) depends on the specifics of the acts committed and the relative ages of the perpetrator and victim. Click any charge for more detailed information.

## **Criminal Charge**

### **Severity**

### **Punishment**

#### [Engaging in repeated acts of sexual assault of the same child](#)

Class A felony; Class B felony; Class C felony

Life in prison; Maximum of 66 years in prison; Maximum of 40 years in prison, and/or a maximum fine of \$100,000

#### [Incest with a child](#)

Class C felony

Maximum of 40 years in prison, and/or a maximum fine of \$100,000

#### [Sexual assault of a child by a school staff person or a person who works or volunteers with children](#)

Class H felony

Maximum of 12 years in prison, and/or a maximum fine of \$10,000

#### [Sexual assault of a child- first degree](#)

Class A felony; Class B felony

Life in prison; Maximum of 66 years in prison

#### [Sexual assault of a child- second degree](#)

Class C felony; Class F felony

Maximum of 40 years in prison, and/or a maximum fine of \$100,000; Maximum of 18.5 years in prison, and/or a maximum fine of \$25,000

#### [Sexual exploitation of a child](#)

Class C felony; Class F felony

Maximum of 40 years in prison, and/or a maximum fine of \$100,000; Maximum of 18.5 years in prison, and/or a maximum fine of \$25,000

#### [Sexual intercourse with a child 16 or over](#) Class A misdemeanor

Maximum of 2 years, 9 months in prison, and/or a maximum fine of \$10,000

