

WISCONSIN

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>WIS. STAT. § 940.22 Sexual exploitation by therapist Class F felony</p> <p>WIS. STAT. § 940.225 Sexual assault First degree sexual assault is a class B felony Second degree sexual assault is a class C felony Third degree sexual assault is a class G felony Fourth degree sexual assault is a class A misdemeanor</p> <p>WIS. STAT. § 944.06 Incest Class F felony</p> <p>WIS. STAT. § 948.02 Sexual assault of a child First degree sexual assault of a child:</p> <ul style="list-style-type: none"> • Class A felony if victim is under 13, and the sexual contact or sexual intercourse resulted in great bodily harm to victim (§ 948.02(1)(a)) • Class B felony if victim is under 12, and the sexual contact or sexual intercourse did not result in great bodily harm to victim (§ 948.02(1)(b)) • Class B felony if offender has sexual intercourse with a person who has not 	<p>WIS. STAT. § 939.74 Time limitations on prosecutions</p> <p>(1) Except as set forth herein, for felonies, within six years after commission of the offense</p> <p>(1) For misdemeanors, within three years after commission of the offense</p> <p>(2) (a) No limit for the following offenses:</p> <ul style="list-style-type: none"> • First degree sexual assault of a child (§ 948.02 (1)) • Engaging in repeated acts of sexual assault of the same child, class A felony and class B felony (§ 948.025 (1) (a) – (d)) <p>(2) (c) Except as set forth herein, for the following offenses, prosecution must be commenced before victim reaches the age of 45:</p> <ul style="list-style-type: none"> • Second degree sexual assault of a child (§ 948.02 (2)) • Engaging in repeated acts of sexual assault of the same child, class C felony (§ 948.025 (1) (e)) • Incest with a child (§ 948.06) • Sexual assault of a child placed in substitute care (§ 948.085) • Sexual assault of a child by a school staff person or a person who works or 	<p>WIS. STAT. § 939.74 Time limitations on prosecutions</p> <p>(2d) (b) If before the time limitation under § 939.74 (1) expired, the state collected biological material that is evidence of the identity of the person who committed a violation of first or second degree sexual assault (§ 940.225(1) or (2)), the state identified a DNA profile from the biological material, and comparisons of that DNA profile to DNA profiles of known persons did not result in a probable identification of the person who is the source of the biological material, the state may commence prosecution of the person who is the source of the biological material at any time, for a violation of first degree sexual assault (§ 940.225(1)), or within 12 months after comparison of the DNA profile relating to the violation results in a probable identification of the person, for a violation of second degree sexual assault (§ 940.225(2))</p> <p>(2d) (c) If before the time limitation under § 939.74 (2)(c) expired, the state collected biological material that is evidence of the identity of the person who committed a violation of second degree sexual assault of a child (§ 948.02(2)) or engaging in repeated acts</p>

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<p>attained the age of 16 by use or threat of force or violence (§ 948.02(1)(c))</p> <ul style="list-style-type: none"> • Class B felony if offender has sexual contact with a person who has not attained the age of 16 by use or threat of force or violence if the offender is at least 18 when the sexual contact occurs (§ 948.02(1)(d)) • Class B felony if offender has sexual contact with a person who has not attained the age of 13 (§ 948.02(1)(e)) <p>Second degree sexual assault of a child, class C felony, if victim is under 16 (§ 948.02(2))</p> <p>Class F felony when a person responsible for the welfare of a child under 16 knows that another person intends to have, is having, or has had sexual intercourse or sexual contact with the child, and fails to take action that would prevent the intercourse or contact from taking place or being repeated</p> <p>WIS. STAT. § 948.025 Engaging in repeated acts of sexual assault of the same child Whoever commits 3 or more violations under § 948.02(1) or (2) above within a specified period of time involving the same child is guilty of:</p> <ul style="list-style-type: none"> • a Class A felony if at least 3 of the violations were violations of § 948.02(1)(a) • a Class B felony if at least 3 of the violations were violations of § 948.02(1)(a), (b), or (c) • a Class B felony if at least 3 of the violations 	<p>volunteers with children (§ 948.095)</p>	<p>of sexual assault of the same child, class C felony (§ 948.025(1)(e)), the state identified a DNA profile from the biological material, and comparisons of that DNA profile to DNA profiles of known persons did not result in a probable identification of the person who is the source of the biological material, the state may commence prosecution of the person who is the source of the biological material for the violation of § 948.02(2) or 948.025(1)(e), or a crime that is related to the violation or both, within 12 months after comparison of the DNA profile relating to the violation results in a probable identification of the person</p> <p>(2d) (d) If a crime is related to a violation of first degree sexual assault of a child (§ 948.02(1)) or engaging in repeated acts of sexual assault of the same child, class A or B felony (§ 948.025(1)(a), (b), (c), or (d)), and if, before the time limitation for prosecution of that related crime expired, the state collected biological material that is evidence of the identity of the person who committed the violation of § 948.02(1) or 948.025(1)(a), (b), (c), or (d), the state identified a DNA profile from the biological material, and comparisons of that DNA profile to DNA profiles of known persons did not result in a probable identification of the person who is the source of the biological material, the state may commence prosecution of the person who is the</p>
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<p>were violations of § 948.02(1)(a), (b), (c), or (d)</p> <ul style="list-style-type: none"> • a Class B felony if at least 3 of the violations were violations of § 948.02(1). • a Class C felony if at least 3 of the violations were violations of § 948.02(1) or (2). <p>WIS. STAT. § 948.06 Incest with a child Class C felony</p> <p>WIS. STAT. § 948.085 Sexual assault of a child placed in substitute care Applies if offender is a foster parent of victim, or if offender works at a shelter care facility or group home at which victim has been placed Class C felony</p> <p>WIS. STAT. § 948.09 Sexual intercourse with a child 16 or over Class A misdemeanor</p> <p>WIS. STAT. § 948.095 Sexual assault of a child by a school staff person or a person who works or volunteers with children Applies when child is at least 16 Class H felony</p>		<p>source of the biological material for the related crime within 12 months after comparison of that DNA profile results in a probable identification of the person</p>
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