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STATE REPRESENTATIVE • 2nd ASSEMBLY DISTRICT

Hearing Testimony

Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families February 1, 2024 Senate Bill 375/Sub Amendment 1

Chairman James and members of the Senate Committee on Mental Health, Substance Abuse Prevention, and Children and Families – Thank you for giving me the opportunity to testify on SB 375/Sub Amendment 1, relating to child support in the case of a parent convicted of sexual assault that results in conception of a child.

Wisconsin's child support program is meant to help separated parents share the financial responsibility of raising a child. Under normal circumstances, where sexual actions were consensual from both parties, it makes sense that both the mother and father contribute equally to the financial cost of raising the child.

In the event of convicted sexual assault that leads to the birth of a child, where only one party consented to the sexual activity, the criminal should bear both halves of the financial responsibility for the raising of the child. With that said, SB 375 would double child support payments in those circumstances, ensuring additional support for the victimized parent and child suffering from the traumatic event.

Substitute Amendment 1 was drafted to address concerns brought up during the Assembly hearing to address automatic termination of parental rights, victims being able to avoid facing their assaulter, and unintended consequences for future adoption scenarios.

I appreciate the opportunity to testify on this legislation and would gladly answer any questions the committee may have.



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SB 375

Senate Committee on Mental Health, Substance Abuse Prevention, Children, and Families
Thursday, February 1, 2024

Unfortunately, when a child is conceived during a sexual assault, the financial burden of that pregnancy falls on the person who did not consent – the mother. If the mother makes the decision to carry the child to term, this is on top of being a single mother and having to endure the trauma of sexual assault. Raising a baby is extremely expensive even when there are two incomes in a home. Raising a baby with one income or no income is almost impossible, even with child support.

This is where SB 375 could lift some of that burden off the mother and onto the shoulders of a criminal. SB 375 says that if a child is conceived as a result of sexual assault, whatever the court deems to be the amount of money to be paid as child support shall be doubled. In this situation, as a person who is staunchly pro-life, I commend the mother for making the choice to continue her pregnancy to term and delivering her child. For having to face motherhood in such an unfortunate and scary situation that she was forced into, the criminal father should share a larger part of the cost.

On many occasions, my and others' stance on abortion has been criticized by saying that we want mothers to carry their children through birth, but then take no action to help that child once he or she is born. Well, here is a great way to support that mother who made, I believe, the right decision and the baby who had no say in how he or she was brought into this world.

In a perfect world, there is no sexual assault and this legislation is unneeded. In a perfect world, when it does happen, the perpetrator makes or has enough money to actually pay out double child support. I know that is not always reality and that mothers who are victims of sexual assault will not all be able to collect if this bill were to be signed into law. However, this is one small way to take a stand against sexual assault and take one step forward in holding these people accountable for their heinous, disgusting actions.

The substitute amendment (sub) makes a few other changes related to termination of parental rights (TPR). The sub created a requirement to file a TPR petition if the court finds that the child was conceived as a result of sexual assault. The sub also says that if the child is given up for adoption, the criminal father (TPR parent) must still pay child support. If the dollar amount is changed as a result, it must still be doubled. Further, the TPR parent could not seek modifications to the child support obligations.