

Jonathan Rosenfeld's Nursing Homes Abuse Blog

Posted on January 9, 2010 by [Jonathan Rosenfeld](#)

[Charges Dropped Against Man Accused Of Sexually Assaulting His Disabled Wife](#)

[Felony sexual assault](#) charges have been dropped against a Wisconsin man for having intercourse with his comatose wife. Prosecutors' case against the man relied on videotapes evidence of the man engaging in intercourse during visits at the Divine Savior Nursing Home in Portage, Wisconsin. However, the Fourth District Court of Appeals ruled that the videotapes are inadmissible in the case. The court found that the man's Fourth Amendment rights against unreasonable searches were violated when police installed a hidden camera in the wife's nursing home room.

According to reports, the couple was married in 1988 and had no children. Read more about this case involving felonious sexual assault [here](#).

In addition to constitutional issues, this case also demonstrates the need for nursing homes to install video cameras in their facilities to protect disabled patients from potentially abusive visitors..

I feel that regardless of how you feel about the Appellate Court's ruling, video cameras placed in comatose patients' rooms provide an additional layer of security currently not in place to protect this particularly susceptible group. What if the incident above involved an intruder or nursing home employee? How would the prosecutors be able to make their case?

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