

# **Excerpts from Testimony Submitted to Assembly Standing Committee on Codes, For Public Hearing, NYC, April 29, 2011**

## **Opening Remarks by Assemblywoman Margaret Markey**

We all know that childhood sexual abuse has a horrendous personal impact on victims and their families. Researchers tell us that one in five children in America is a victim of childhood sexual abuse -- most of it at the hands of family members or acquaintances, or by other people they trust and respect.

Because most victims of this abuse are not able to report what has happened to them until they are well into adulthood, professionals say that our current law is inadequate..

Existing New York law enables many predators to avoid the consequences of their immoral and illegal acts by “running out the clock” on their crime --- taking advantage of our arbitrary and out-dated statute of limitations. The bill that is the subject of today’s hearing, A5488, the Child Victims’ Act of New York, will extend the statute of limitations for these crimes.

It will provide victims of abuse a greater opportunity to have their day in court. It also means that New York has the opportunity to become a leader in providing justice for previous victims of child sexual abuse. And, in doing so, we will also protect future generations of New York children from abuse by exposing pedophiles who have previously been hidden.

## **Lynne M. Abraham, Esq, District Attorney of Philadelphia, PA, 1991-2009**

This bill is probably one of the most important criminal justice bills you will ever vote on in your entire legislative careers. For this vote has the potential of telling the victimized, the vulnerable, the voices, the rejected, the passed over, the trivialized, whether their elected representative can and will stand up against some of the most powerful lobbying groups in the country, among which is the Catholic Conference of Bishops...

Fortunately, the statute of limitations bill and a host of other child protective measures did pass our legislature as a direct result of my grand juries’ four year investigations, findings and recommendations. The statute of limitations was raised from 12 years after a victim reaches 18, or age 30, to age 50. Judged by this alone, your proposed change is a very modest amendment.

Contrary to the dire predictions that because of this expended statute of limitation there would be a veritable flood of old cases that would overwhelm the courts and confound defendants, this just has not materialized. This is understandable and perhaps may be instructive for this committee... most cases of child sexual abuse of every kind are never reported to law enforcement no matter the identity of the perpetrator. So many victims have been so emotionally traumatized, broken and damaged that even many years later they cannot bring themselves to confront or recount their own horror in public.

There are those who would try to derail this bill because of the false claim that this would deprive putative defendants of a defense because their couldn’t account for their whereabouts on a particular

day, or in a particular location many years later or the more traditional “passage of time, the fading of memories: and the usual stuff thrown at legislative bodies. This is disingenuous, at best, and at its heart false.... These crimes are not, never have been, and likely never will be single, date specific incidents. Even the perpetrators won’t know unless their kept notes of their predation. The precise date of each step in the sexual seduction started, or what act they committed on what date. But they know that they did what they did.... Unlike a robbery, or a killing at a certain date and time, or a single act of stranger rape, these kinds of crimes are long-term projects...

The shorter the statute of limitations, the greater likelihood that all sexual abusers and adolescents will never be revealed/ Thus, legislators... should feel secure that legislation which appropriately lengthens the statute of limitations for crimes like these, protects society as whole; does not alter rules of evidence or shift the burden of proof. It is a most effective tool to vindicate victims and protect society; and prevents sex perverts from the comfort of knowing that their crimes will never be revealed in a courtroom.

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### **Christine S. Deyss, Executive Director, Prevent Child Abuse New York**

... **The Consequences of Child Abuse** are grave, damaging and spill over into adult life as children suffer adverse effects on their physical, cognitive, emotional, and social development The economic costs begin with intervention and continue as we expend considerable resources to treat the numerous consequences.

In the following sections, sexual abuse is related to the broader issue of all forms of child maltreatment. Children who suffer sexual abuse often are also the victims of other forms of abuse and neglect. For example, the Adverse Childhood Experiences Study found that among the predominately middle class population they studied, sexual abuse was the second most frequently experienced childhood trauma and that 65% those who had been sexually abused also reported experiencing other forms of childhood abuse or trauma. Children who are commercially sexually exploited (engaging in sexual acts in exchange for money, goods or shelter) often have run away from homes where they have been abused or from families who no longer want them.

**Child Sexual Abuse Cost Studies** - According to Darkness To Light, reported cases of child sexual abuse represent the second most expensive victim crime behind murder; one incident costs the victim’s community nearly \$14,000. Their online economic impact calculator suggests that annually the immediate cost of child sexual abuse in New York State is \$213,028,988 and the long-term cost is \$2,194,198,576.

When Minnesota examined incidence and costs of sexual assault in their state in 2005, they found that the highest sexual assault rate was 1 in 19 of 100 Minnesota girls aged 13–17. Overall, 1 in 70 Minnesota children was sexually assaulted, as was 1 in 89 Minnesota adults. (The authors state that these are probably underestimates.) The estimated cost per sexual assault victimization of a child,

including services to and losses by the victim and family, as well as offender prosecution was \$184,000 in state and federal spending...

The authors say the estimates are a fraction of the true costs, “they exclude (1) the costs of crimes committed by people whose experiences of victimization contributed to their criminal behavior; (2) costs of family and relationship problems that arise when someone perpetrates sexual violence; (3) re-victimization during the disclosure and/or investigation process; (4) costs to those who are mistakenly suspected of committing sexual offenses.”

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**Jeffrey R. Dion, Deputy Executive Director, National Center for Victims of Crime.**

... Experts believe that as many as one in four children are sexually abused before the age of 18. The harm caused by that abuse, a unique crime shrouded in shame and secrecy, may not become apparent for decades. Many victims do not come forward, if at all, until years after the crime, when they seek treatment for depression, drug or alcohol abuse, phobias, or other abuse-related symptoms. These conditions caused by sexual abuse cost victims and society millions of dollars in health care costs, mental health treatment, lost productivity, and criminal justice expenses. Often, victims hesitate to report the abuse because they fear being blamed or not believed. Perpetrators often intensify these fears, threatening the victims or their families if the victim discloses the crime...

Victims should have access to civil justice. Civil actions help victims by holding perpetrators and other responsible parties directly accountable to victims for the harm they have caused. Civil litigation enables a judge or jury to acknowledge the harm done to victims and penalize those responsible. It also provides many victims both justice and a means to heal the wounds caused by the crime. Forty-four states offer some type of special provision for victims of childhood sexual abuse to file a civil lawsuit. The mere passage of time, these states have recognized, should not block victims' access to justice...

By extending the statute of limitations for civil actions, New York could help prevent offenders (who usually molest more than 100 children) from committing more crimes. The passage of the Child Victims Act of New York would encourage more victims to come forward, subject more perpetrators to scrutiny, and deter organizations that serve children from hiring predators. Passage of this bill would also affirm the Legislature's commitment to the children of New York.

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**Professor Marci A. Hamilton, Paul A. Verkuil Chair in Public Law, Benjamin Cardozo School of Law, Yeshiva University**

... Right now, in New York, there are untold numbers of hidden child predators who are preying on one child after another, because the statutes of limitations have been configured to give them that opportunity. It is a fact that 1 in 4 girls and 1 in 5 boys are sexually abused. Thus, there is an iceberg of

silent victims in New York who are suffering and who must shoulder the cost of therapy, addiction, and the other costs of abuse themselves....

New York pays the price of abuse in several ways. First, the state suffers from reduced productivity from victims, because they have been disabled by the abuse. To the extent that they are not made whole, they are producing less tax-generating income. The fact that New York shuts off most prosecution and civil claims before victims are ready to come forward means that most victims have no chance to achieve justice and, therefore, are more likely to suffer serious depression and illness.

Second, New York bears the cost of divorces, broken homes, and suffering children, which are a sadly prevalent fact in many survivors' lives. This creates a drag on local school districts that must provide counseling and guidance for troubled youth, the state agencies that deal with troubled families, and local authorities.

Third, the survivors' medical bills generated by the abuse, whether it is psychological or physical treatment, are likely to have to be subsidized by state and federal medical programs and funds.

Under the current New York statute of limitations-- which halts criminal prosecution and civil cases long before most victims are ready to come forward -- those who caused the abuse or who created the conditions for the abuse are being permitted a free ride. The state and its citizens are paying for the reduction in productivity, reduced tax revenue, and the increased medical and social needs of victims and their families. At the same time, the perpetrators and the institutions that created the conditions for the abuse have been given the most effective tool -- short statutes of limitations -- to avoid footing the cost.

There is an answer -- reforming the statutes of limitations and opening the justice system for the victims. Civil litigation for child sex abuse victims forces perpetrators and those who aided and abetted the abuse to pay for the harm they caused. Through the justice system, the cost of abuse is shifted from the taxpaying public as a whole to the people and institutions that caused the abuse and its severe effects. This is not only fair, but economically sound. Why should the state of New York be bearing so much of the cost of abuse when those who made it happen are not?

Enacting a "window" that lifts the statute of limitations for all victims for a set period of time will go far to shift the costs of abuse from the innocent to the guilty. This is sound public policy, and works to the benefit of every New Yorker.<sup>1</sup>

**Harriet Lessel, Executive Director, NYC Alliance Against Sexual Abuse; Chair, Legislative Committee, Downstate Coalition for Crime Victims.**

... When victims have access to the criminal and civil justice systems, they are also more likely to receive other kinds of treatment and intervention.

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In the debate surrounding the Child Victims Act, it appears that an understanding that a heinous crime was committed on children has been lost.

To address the needs of victims and why we should all ask for compassion, I am going to quote from an article called “The Relationship of Adverse Childhood Experiences to Adult Health: turning gold into lead” by Vincent J. Felitti, MD.

“The question of what determines adult health and well-being is important to all countries. The Adverse Childhood Experiences (ACE) Study is a major American research project that poses the question of whether, and how, childhood experiences affect adult health decades later.... The study makes it clear that time does not heal some of the adverse experiences we found so common in the childhoods of a large population of middle-aged, middle-class Americans. One does not ‘just get over’ some things, not even 50 years later.”

I also do not want to suggest that people who have experienced childhood sexual abuse cannot have happy and productive lives. Many of them do. What it tells us, most definitively, however, is that sexual abuse in childhood has powerful consequences later in life. We as a society have a responsibility to not only address the prevention of childhood sexual abuse, but to provide the resources that survivors need to become the best they can be, to live productive and fulfilling lives.

Imagine what could be accomplished if everyone who was sexually abused was accomplishing their life’s dreams instead of spending their time recovering from the abuse.

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**John M. McDonagh, PhD, ABPP, Licensed Psychologist, Cold Spring Harbor, NY**

It has been maintained that the statute of limitations as a legal tradition is intended for the purpose of protecting citizens from accusations that may be faulty because the passage of too much time may render evidence stale, or difficult to retrieve and make it difficult for the parties concerned to remember events accurately. While that may be the case in many circumstances, I contend that in the case of childhood sexual abuse, statutes of limitations that are too brief constitute an injustice to victims because the crime committed against them, in many cases, weakens their ability to mount a legal case and thereby have recourse to justice.

It should be noted that in New York State there are exceptions to the statute of limitations in the criminal law for murder, and since 2006, for rape. Therefore, I have difficulty understanding why the alleged perpetrators of sexual abuse should enjoy greater protection from the law than an alleged rapist or murderer since evidence and memories can potentially fade in all these instances. By this line of reasoning, New York State law now makes possible convictions of murder by stale evidence and memories of event long past that could result in the death sentence, or life imprisonment.

At the same time, there are some who argue vociferously against extending the statute of limitations for child sexual abuse ostensibly because stale evidence and memories of events long past might result in paying large penalties. But they leave out the fact that whatever evidence can be brought forth in such

cases must still be scrutinized and evaluated by the court system. Do they have such little faith in the court system in our State?

Another argument in favor of extending the statute of limitations is that other jurisdictions, sharing the same or similar jurisprudence traditions as that of New York have either no statute of limitations for childhood sexual abuse (Maine; Canada) or statutes that provide for longer periods of time, (e.g., Connecticut, until age 48; Wisconsin, age 35; Missouri, age 31).

Furthermore, I was under the impression that in the United States, a person is considered innocent until proven guilty. I therefore have difficulty understanding why the alleged perpetrator should be considered to be at an unfair disadvantage with an extended statutory time limit when the entire burden of proving the case rests with the accuser.

If the evidence is stale and memories faulty, that would seem to favor the alleged perpetrator. On the contrary, when convincing evidence can be produced whatever the time span, but is barred from litigation, it is only the victim who suffers and is victimized again. I hope to demonstrate that it is not only the victim who suffers unfairly, but his or her families as well as the taxpayers of New York State...

As a group, victims of childhood sexual abuse are a population whose capacity to take legal action has been impaired by the very crimes committed against them. It seems that a sense of basic fairness would prompt the State to substantially expand the statute of limitations to allow them to pursue litigation when they have recovered sufficiently to be able to do so. It has been demonstrated by some of the studies cited above that they have a reduced capacity to tolerate stressful situations, yet our current laws require them to take legal action without due consideration of this fact. In California, when a one year window of time was established to facilitate litigation in older cases of abuse, a large number of perpetrators were identified who otherwise would have continued to abuse children. It seems to me that the playing field now tilts in favor of the abuser, and I simply ask whether our State can do more to make allowances for the obstacles faced by sexual abuse victims, incurred through no fault of their own, and level the playing field. Let the courts decide these cases, and let the victims have their day in court.

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**Dr. Cynthia Calkins Mercado, Associate Professor of Psychology, John Jay College of Criminal Justice, New York City**

Childhood sexual abuse has both serious short and long-term impact upon its victims. Indeed, a history of abuse has been linked to emotional, psychological, physical, and even economic, harm. Studies show that victims are at increased rates for psychopathology such as mood disorders (e.g., depression), anxiety disorders, eating disorders, borderline personality disorder, and alcohol and substance abuse. Suicidal ideation, suicidal attempts, and self-harm are also more common among sexual abuse victims, as are sexual promiscuity and HIV and other STD risk behavior.

The consequences of abuse are not, however, limited to psychological sequelae. Victims of sexual abuse also have elevated rates of medical problems into adulthood, including more frequent hospitalizations and incidence of illness. Additionally, there are social and economic consequences to sexual abuse during childhood, including elevated rates of unemployment, marital problems, and even

higher rates of crime perpetration associated with victimization. Finally, re-victimization is common, with those having been sexually abused being significantly more likely to be victimized again. Women with a history of childhood sexual abuse are, in fact, 2-3 times more likely to be victimized in adulthood than are women with no history of such abuse.

It is not unusual for victims to delay, or fail to disclose, sexual abuse. Many factors impact upon the decision to report sexual violence, including guilt, shame, the secrecy that surrounds the abuse, and fear of negative consequences. Research estimates indicate that among those who do disclose of their abuse, only a third of those abused during childhood disclose before the age of 18, with some 2/3 waiting until adulthood to disclose of their abuse. It is not uncommon for reports of abuse to be made years, sometimes even decades, after the events occur. A recent study found, for example, the average age at disclosure to be 26 years, some 12 years after the time at which the abuse had ended. Low self-esteem, self-blame, anticipation of unsupportive reactions, and fear of social rejection are common among abuse victims.

Many children wait until adulthood to disclose of their sexual abuse, allowing time to process and understand what are in fact very incomprehensible and inconceivable events, and allowing them time to find appropriate and supportive persons with whom they trust sufficiently to make a disclosure.

Often children simply feel that they may not be believed. Indeed, one of the most important factors in the decision to disclose is the perceived belief of the caretaker with regard to the veracity of the disclosure. Other factors have also been found to influence the decision to disclose abuse, with relationship to the victim being one of the most important factors. Victims who are related to their perpetrators are among those least likely to report the abuse, or to do so only after a long delay,,,

In summary, the research shows that child sexual abuse has serious and long-term impacts upon its victims. Moreover, it can be assumed that official counts of abuse seriously underestimate its true prevalence. It is clear that the costs, although in many ways immeasurable, are many. Given clear evidence on the underreporting of abuse and typical delays to reporting, statutes that provide victims extra time to report sexual crimes will be responsive to the empirical reality of disclosure patterns and, importantly, represent a more victim centered societal approach to addressing the serious problem of sexual violence.

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**Dr. Ted R. Miller, Principal Research scientist, Pacific Institute for Research and Evaluation; co-author, National Institute for Justice study, “Extent and Costs of Crime Victimization,”**

... Nationally rape costs more than three times as much as drunk driving. From ages 5 to 19, I estimate it accounts for one quarter of all injury costs. That’s more than the cost of road crashes, physical assaults, or falls. The largest cost factor here is pain, suffering, and lost quality of life. Its children, who are withdrawn, do poorly in school, turn to drugs, slit their wrists, and hurt people. Its wives divorced,

battered, drunk, heart broken. It's a sincere new parent trying to convince a spouse that parents should introduce their children to sex as toddlers.

In New York State, I estimate that child sexual abuse costs more than \$1 billion dollars a year. The bill for medical and mental health treatment, police services, victim services, adjudication, and sanctioning alone is \$100 million per year. Adding other child rape would double those costs. The bill is more than \$400 per child in the state. A single case of child sexual abuse costs \$230,000...

Sexually abused children often are adults in trouble before they get mental health care. For some, effective treatment requires confronting their abuser. For others, it requires assuring others will not be assaulted by their uncle, their scoutmaster, their pastor. That should happen in the legal system. Police and the courts investigate the sexual abuse claim, assess its validity, and impose appropriate sanctions. They provide a controlled environment where violence will not erupt and false accusations will be exposed. Unfortunately, by the time kids are old enough to speak up the statute of limitations often has expired. That denies them a safe road to justice.

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**Michael Polenberg, Vice President for Government Affairs, Safe Horizon**

... Safe Horizon supports extending the statute of limitations by five years to allow adult survivors of childhood sexual abuse additional time to pursue criminal damages. We also support allowing adult survivors an opportunity to pursue civil damages. We recognize and appreciate that the effort to pass such a measure into law is not without controversy. But we remain hopeful that all sides of this debate can agree that childhood sexual abuse is a heinous crime that often debilitates its victims many years – even decades □□ after it ends....

The process of coming to grips with their abuse as children and re□living the trauma associated with this abuse – as demonstrated by Kathy's experience □□ can be terrifying and overwhelming. Our talented and compassionate caseworkers and clinicians offer comfort, guidance, advocacy and support. We offer evidence□based interventions that are shown to reduce the symptoms of trauma. But what we cannot offer to the thousands of adult survivors of childhood sexual abuse we see each year over the age of 25 is the hope of relief through the courts. The statute of limitations ought to be extended to allow victims of childhood sexual abuse to seek justice and to prevent additional crimes from taking place.

Similarly, victims of one of our society's most horrific crimes ought to be provided with an opportunity to seek civil damages. We urge both houses in the State legislature to agree on language that recognizes the true horror of child abuse and the multi□year process for overcoming its effects....

Those who perpetrate this crime are purposefully selecting victims who are too young and often too terrified to report the abuse. Our existing laws allow far too many of these abusers to escape justice. It is time for that to change. Safe Horizon urges both the NYS Assembly and the NYS Senate to pass

legislation that recognizes the deleterious impact of child abuse on the lives of New Yorkers for many years after the abuse itself ends and adjusts the laws accordingly.

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**Dr. Kenneth Peake, Chief Operating Officer, Mount Sinai Adolescent Health Center**

...Most would agree that sexual abuse is a global issue, is of epidemic proportions, affects all genders, religions, racial and ethnic groups, and classes... The Commonwealth Fund commissioned a nationwide study of 67— adolescents in grades 5-12. The study showed that one in five girls (21 percent) and one in eight boys (13 percent) reported experiencing either physical or sexual abuse... Only 27 percent of the girls who disclosed sexual abuse reported seeing a mental health counselor. Much sexual abuse goes unidentified and therefore health providers only know of a tiny fraction of the physical and sexual abuse cases that pass through their practices...

Most sexual abuse occurs before adolescence but the consequences usually start expressing themselves in adolescence and often persist into adulthood. ... Teens with a history of abuse are more likely to start having sex earlier than non-victims, to have more sexual partners, and to be less self protective,..., The health of adolescents with a history of abuse is likely to be compromised and to have long term social costs and consequences...

My colleague, Dr. Angela Diaz, the director of our Center, is considered an expert in adolescent health... In one of Dr. Diaz' studies at Mount Sinai Adolescent Health Center, 22.7 of female adolescents receiving routine medical care disclosed sexual abuse when asked directly by their physicians during their routine medical history. ... In one study of our patients, Dr Diaz found that the age of the victim when first abused ranged from 3 years to 17, but most (70 percent) were under the age of 11 when first abused, the average at first episode was 8 years 8 months... For 20 percent of the victims the abuse occurred within only one day --- but for many it occurred over long periods of time --- 11 percent for one year, 30 percent for more than 2 years, and 18 percent for 5-10 years...

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**A.D.A. Eric Rosenbaum, Special Victims Bureau, Office of Richard A. Brown, Queens County District Attorney**

When thinking about costs (of child sexual abuse), most people think about the police responding to a reported crime and the ensuing criminal prosecution, if any. But the full cost of child sexual abuse is more complicated. The number and range of police agencies alone that are called upon to address child sexual abuse, for example, is tremendous...

While those offenders who loom largest in the public's eye may be the stranger rapists.... the vast majority of child sexual abuse crimes are committed by people known to the victims: that is, by relatives and acquaintances. They commonly reside in the victim's home. These offenders may be a biological parent, a step-parent, an uncle, a parent's boyfriend, a boarder in the child's home, a neighbor, a tutor, a coach: in short, people the child victims know and trust. They have frequent access to the children thus making it possible to commit the abuse repeatedly over long periods of time...

How do you calculate in dollars the impact of these crimes against children? What is the cost when the crime scene is the victim's home which they may well have to leave? When the abuser is also the family's only means of support? When figuring out what happened takes dozens of professionals conducting multiple joint interviews? When providing for a child's safety may require an emergency response from multi-disciplinary teams of child protection specialists? When addressing the abuse, seeking justice, and protecting the victims may require cases to be brought in the criminal and family courts and protective services to be provided for years? When the psychological damage that results from abuse can persist for years and be severe enough to seriously debilitate a child into adulthood? When the damage of the abuse spills over from one generation into the next as a child victim matures into a dysfunctional adult who then has children who cannot be cared for adequately? The ripple effects of the abuse can seem boundless...

The number of these cases is sobering. In 2010, in just four counties (Bronx data was not available at the time these statistics were gathered), child advocacy centers ("CACs") handled over 4,000 child abuse cases of which up to 70% were related to sexual abuse. And although most cases involve one child victim, siblings and caregivers are usually impacted, too. So while several thousand child sexual abuse cases a year for just four counties in New York City is in itself difficult to fathom, the actual number of people impacted by these cases is many times that. Addressing the profound needs of this population are multiple law enforcement agencies, prosecutors, multiple courts, professionals from CACs, hospitals, mental health providers, and child welfare agencies, among others. The services they render are indispensable to addressing the damage caused by child sexual abuse, and it is critical that these agencies and organizations be fully funded...

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**Michael Stackow, Assistant Chief of the Family Violence & Sexual Assault Unit, Office of the District Attorney of Philadelphia, Pennsylvania.**

In Pennsylvania victims of childhood sexual abuse have until their 50th birthday to disclose the abuse in order to allow criminal prosecution of that abuse. Until 2006, the statute of limitations permitted criminal prosecution of child abuse cases up until the victim turned thirty years of age. What we found in Pennsylvania, however, was that the thirty year-old mark was not sufficient. In our collective experience, it became evident that middle-age, and the life events that often accompany middle-age, lead many victims of childhood sexual abuse to attempt to reconcile their past with their present. Having a parent pass away or you children grow into adulthood causes victims to reflect on their upbringing. Traumatic circumstances, as well, often are the triggers that begin victims on a path of dealing with their childhood trauma.

The vast majority of sexual abuse of children is committed by adults who were in a position of authority and trust regarding the child. Whether a family member, a teacher, coach, or other "father figure," the perpetrators of this abuse gain the trust of the child in order to isolate them and then abuse them. This isolation is both physical – when abusers manipulate situations so they "baby sit" their victim – and emotional – using grooming behavior to break down social norms the child may have regarding the adult-child relationship. This isolation and subsequent abuse of trust are the very reasons why victims of childhood sexual abuse do not disclose their abuse. They are afraid they won't be believed; they feel

guilt or humiliation for having been coerced into participating in sexual activity; they may even have developed feelings of loyalty towards their offender that causes them to keep these secrets...

Thus, I encourage passage of the legislation and would encourage future consideration of increasing the age at which the statute of limitations for sexual offenses against minors commences.

From a prosecutorial point of view, such legislation does not overly burden the criminal justice system and does not provide false hope of criminal conviction for victims of childhood sexual abuse. Complaints will still need to be investigated and cases developed before determining whether there is sufficient, reliable evidence to proceed with a criminal prosecution. When prosecutions are brought on these so-called “delayed disclosure” cases, prosecutors will no doubt have their work cut out for them, but achieving justice is still possible. In fact, in my experience, when an adult takes the witness stand during a criminal jury trial and testifies about their childhood sexual abuse, a powerful sense of obligation comes over the courtroom. This testimony can be some of the most compelling evidence a prosecutor can present to a jury. Criminal convictions of sexual predators are secured with such testimony.

Giving more victims of childhood sexual abuse access to the justice system and simply the chance to have their day in court is really little for them to ask us as a society. Expanding the age at which the statute of limitations commences will serve as an example to society as a whole that the criminal justice system will work to achieve justice – no matter how long it may be delayed. That the system will only hold the perpetrators of child sexual abuse accountable for their actions. And that the system will work to ensure that the victims of that abuse have their faith in us as a society restored.

Prepared by the Office of Assemblywoman Margaret Markey. May 24, 2011

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