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## **MEMORANDUM**

**FROM: Assemblywoman Margaret Markey**

**SUBJECT: January 2013 Update on Child Victims Act of New York**

**New Bill to Completely Eliminate Statutes of Limitations**

Eight years ago, I first introduced a bill to extend the current statute of limitations for child sexual abuse for an extra five years beyond current law, extending the time for a victim to come forward with allegations of abuse to the age of 28. I saw how so many victims of abuse were not able to come to grips with what happened to them until they were older and my colleagues and I thought this modest extension would be a good first step toward a more equitable law.

After adopting this bill four times in the Assembly since 2006, but failing to see it ever come to the floor of the State Senate, we have had shocking revelations emerge in the U.S. and around the world that clearly demonstrate why adding a few years to the statute of limitations is no longer enough. That is why my new legislation, A1771, now seeks to completely eliminate the criminal and civil statute of limitations for child sex abuse crimes in New York State.

Over the past year alone, cases involving Penn State and Syracuse Universities, the Boy Scouts, the Diocese of Philadelphia, the BBC, Poly Prep Day School, Horace Mann School, and Yeshiva University High School not only demonstrate that the current law is not just woefully inadequate but that justice requires more than a modest extension of SOLs.

That is why my bill in the new session of the Legislature will seek to completely eliminate the criminal and civil statute of limitations for these crimes. As with previous legislation adopted by the Assembly, this new bill also includes a one-year "window" that completely suspends the civil statute of limitations for old crimes in order to make it possible for older victims in these cases to get a measure of justice.

There is no limit on what is so often a life-time of suffering and anguish for victims of child sex abuse; likewise, there must be no limit on the ability of victims and society to prosecute abusers and to hold accountable the institutions and organizations who protect and hide them making it possible for them to continue to prey on new victims.

**Public Hearing in NYC on March 8th**

The Assembly Codes Committee, chaired by Assemblyman Joseph Lentol, and I will hold a public hearing on A1771 on March 8, 2013 in New York City to hear testimony on the new legislation. We are anxious to hear testimony from law enforcement and criminal justice officers and officials, mental health experts, victims and others about why there should be no statutes of limitations on child sex abuse crimes. We are particularly interested in hearing about research that clearly demonstrates why so many victims of abuse do not come to grips with the abuse they have suffered until later in life, long after the current law permits them to come forward and for their abusers and those who hide them to be identified and punished.

### **Statewide Lobby Day, Rally & Forum in Albany on April 16-17**

Over the coming weeks I will be reaching out to my colleagues in the Assembly and to members of the State Senate of both parties who feel strongly about this issue. As supporters of the Child Victims Act also reach out to their own local elected Assembly and Senate representatives, we also want to bring the issue to the Governor and the Legislature in a dramatic way by combining a lobbying initiative, rally and educational forum on CVA to the Capitol on Tuesday and Wednesday, April 16-17<sup>th</sup>. I urge all supporters to plan to be in Albany for these activities to add their voices to the demand that this bill be adopted during this session by the Legislature and that the Governor agree to sign it into law. I invite all organizations that are active and concerned about child sexual abuse to join our educational forum on the subject which will be held April 17<sup>th</sup>. Space will be provided in the Well of the Legislative Office Building for organizations to present graphic and multi-media exhibits to help educate legislators and their professional staffs about the issue and explain why this bill needs to become law.

### **Moving Documentary Film about Abuse is an Oscar Contender**

Institutional cover-up of child sex abuse crimes has received strong attention in the media over the past few years as notorious examples have emerged involving schools, universities, sports, religious and youth organizations. That is why supporters of the Child Victims Act and I held a press conference at Film Forum in Manhattan to urge viewing of the documentary film, "Mea Maxima Culpa: Silence in the House of God", which had its U.S. Premiere in December. The film investigates the secret crimes of a Milwaukee priest who abused more than 200 deaf children in the 1960s & 70s through the eyes of a handful of the survivors of the abuse. Even though it documents the cover-up by multiple layers of authority in the Catholic Church, the cover-up process is similar to that we have seen emerge at Penn State, Syracuse University, the Boy Scouts and several youth organizations. It is a tribute to the strong impact of the film that it has been short-listed for the 2013 Academy Award for Best Documentary. This HBO Film, directed by Alex Gibney and produced by Wider Productions, may be seen nationally on the HBO network starting on February 4. I am hopeful we will be able to arrange a screening in Albany so my legislative colleagues will be able to see it.

### **Stay Informed About Our Progress this Year**

Keep in touch with the latest developments concerning the Child Victims Act by visiting my New York State Assembly website, <http://assembly.state.ny.us/mem/Margaret-M-Markey/> where I post updates on activities in connection with the legislation, significant news coverage about the bill and reports about upcoming events. Another website that has information about statute of limitations reform activities throughout the United States is [www.SOL-Reform.com](http://www.SOL-Reform.com). If you want to work in your own community or in Albany to achieve passage of the Child Victims Act, you may contact the New York Coalition to Protect Children ([nyprotectchildren@gmail.com](mailto:nyprotectchildren@gmail.com)), a volunteer organization whose primary mission is to achieve passage of the Child Victims Act. As always, I welcome your letters and messages of support and suggestions for how to convince my colleagues in state government to make the Child Victims Act the law in the State of New York. My email address is [markeym@assembly.state.ny.us](mailto:markeym@assembly.state.ny.us)

### **Thank You to All Those Who Support the Child Victims Act**

I want to express my admiration to all those who have worked so hard over recent years to help bring this issue to public attention. I also want to express my heart-felt gratitude to all those individuals who have written and met with me to share their personal details and offered to join me in the fight to make this bill a law. I also want to thank those brave survivors and organizations who have stood up with me over the past few years at public demonstrations, press conferences, lobby days and in so many other ways to keep this legislation alive. In states all around us there are active movements to enact similar laws to modernize statutes of limitations for these offenses. As we saw in 2011 and again in 2012, fresh examples of outrageous conduct on the part of organizations and institutions in covering up child sexual abuse keep emerging to reinforce the need for this change. That is why I have absolutely no doubt that it is inevitable that the Child Victims Act will become law. My goal this year is to ensure that 2013 is the year for it to happen in New York State.