



Testimony respectfully submitted to the New York State Public Safety Hearing
January 30, 2018

Good morning. I want to extend my deepest thanks to Senator Cathy Young and Assembly Member Helene Weinstein, Senate Minority Leader Andrea Stewart-Cousins and Speaker Carl Heastie. Thank you for letting me speak today about the opportunity New York has to protect children from sexual abuse.

I'm here today as the Chief Operations Officer of the Stop Abuse Campaign, and also as one of the untold thousands of New Yorkers who was sexually abused as a child whose abuser was never brought to justice.

Child sexual abuse is such a significant crime it can cause permanent changes to the way a child's brain, endocrine system, immune system, circulatory system and even their DNA develop. A trauma so destructive that it takes significant time for its victims to process; some research has demonstrated 21 years, some even longer. New York's current statute of limitation bars most victims from the courtroom on their 23rd birthday. That means most offenders are essentially above the law. Not only is this a massive miscarriage of justice, but it means the vetting procedures we use to protect children from sex offenders, that rely on convictions, can't possibly work and all children in the Empire state remain in danger.

A crucial component of the Child Victims Act is the retroactive window. This allows criminals to be identified in civil court, which generates publically accessible records. It is the only constitutional way for survivors already over the age of 23 to identify their victims. Other states have passed retroactive lookbacks like this, and courtrooms weren't flooded. Institutions did not go bankrupt en masse. Even in civil court, it is very difficult for victims to prove they were abused.

The other crucial role of the lookback window is to hold institutions that facilitate predators accountable. Right now, the world is cheering Larry Nassar's sentencing. One sex offender will never be a free man, ever again. But he didn't molest over a hundred children over decades without the help of USA Gymnastics and Michigan State University. Members of those



One Child Is One Too Many

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institutions heard accusations of Dr. Nassar sexually abusing children, and weighed their options; believe something a child had said or believe a remarkably talented professional and “nice guy” did something horrible. They made the same miscalculation that is made countless times across the country, in every imaginable institution. They believed the adult, covered for the adult, and got away with it. For many years, at the expense of countless children’s lives, they took the path of least resistance and it worked out well for them. Unfortunately, we know that institutions across the board behave as badly as the law allows them to, and right now New York’s laws are among the most predator-friendly in the nation. Increased liability motivates institutions to do better, to implement the best practices that protect children from lurking predators.

Critics have told false narratives of adult victims using this legislation to ruin the “good” names of “good” people and institutions, and these fears successfully denied justice to most victims for more than a decade. Justice denied, systematically, over time, is always harmful. In this case it helped birth the #MeToo movement, where disempowered victims have tried their abusers in the court of public opinion, the only court open to them. This has led to cries for due process. The way to ensure due process is to give adult victims access to the courts. That’s what the Child Victims Act does.

New York cannot say it values children if it is unwilling to take significant action to protect them from sexual abuse. The Child Victims Act has languished in the legislature for more than a decade, but we have a real chance to pass it now. Our state’s children, our future, and countless victims are counting on it.



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