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Testimony – Public Protection Budget Hearing, Child Victim’s Act

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Good morning/afternoon.

Thank you, Senator Cathy Young and Assembly Member Helene Weinstein, for the opportunity to provide testimony. I am sincerely and deeply grateful to Governor Andrew Cuomo for elevating the issue of child sexual abuse. Thank you, Senator Brad Hoylman and Assembly Member Linda Rosenthal, for your commitment and unwavering efforts over the past several years and to Senate Minority Leader Andrea Stewart-Cousins and Speaker Carl Heastie.

My name is Mary Ellen O’Loughlin. I am a mother, college graduate, business owner and survivor of child sexual abuse. I serve as a board member for The Foundation for Survivors of Abuse, a national organization founded by Desirae and Deondra Brown committed to reform of statute of limitations laws for child sexual abuse.

Desirae, Deondra, and their sister Melody, were all abused by their father. The siblings, five in all, have been performing as a classical piano ensemble since their teens and early twenties. As such, they have traveled the world. Following a series of conversations in their mid- and late twenties, the three sisters realized that as children they were all sexually abused by their father. All three were abused in different states – Utah, New York and Texas. Because of the laws at the time, Desi, who was abused in New York, was advised she was unable to prosecute because the statute of limitations had expired. In the end, Deondra prosecuted Mr. Brown in the state of Utah and he is serving a 10 year to life term. Today, Desi lives in New York and Deondra is in Utah.





Perpetrators are fathers, brothers, mothers, uncles, coaches, educators, faith leaders, and more. In my case, I and my siblings were abused by my step-father. I was between the ages of 12 - 14. When my siblings and I told, we were not believed. Later, one of my sisters tried to prosecute but was told she could not because the statute of limitations had expired. She was 25.

The statutes of limitations for crimes of sexual abuse vary widely from state to state. The Foundation for Survivors of Abuse is partnering with other national organizations to work with Senator Kirstin Gillibrand's office to introduce and further federal legislation that will change this.

I'd like to use my remaining time today to specifically address something I hear a lot when talking to legislators: why don't victims report sexual abuse sooner? There is a large body of research dedicated to this question because many survivors of sexual abuse either do not disclose their experiences or wait a long time to do so.

Disclosure is a process; a victim may tell, disclose or report. Telling is when I told my cousin when we were 14 – I told someone but she was not in a position to help me. Disclosing is talking to someone in a position to help. I disclosed to my mother but was blamed for “leading him on”. Reporting is to a doctor or law enforcement officer. Reporting is the crucial step leading to an investigation and prosecution.

Victims do not disclose or report for many reasons: we are afraid of not being believed or blamed, we are ashamed, we may be afraid of losing friends and family or perhaps the abuser has made threats. A victim may not realize the abuse is a crime or might believe the personal and social benefit does not outweigh the personal and social costs.

In fact, I was not believed and I lost relationships. I believed the criminal justice process to be too invasive and intense. Desi, Deondra and Melody's father was their professional manager. Desi didn't know the abuse was a crime. All five siblings were impacted – they lost many friends and family and endured intense public scrutiny.





In New York, an abuser only needs to keep her/his victim quiet until s/he is 23; not all that difficult to do since most victims don't disclose until well into adulthood, if at all. Because of this, New York has become a safe haven for abusers. It is because of this that a civil window for reporting is crucial – without it, generations of abusers will remain unidentified.

Largely due to work done by The Foundation for Survivors of Abuse, Utah has now reformed their laws by eliminating the criminal and civil statute of limitations for child sexual abuse and providing a three year civil window.

Will I prosecute all these years later? Yes, I will. Not because of money – he doesn't have any. I will prosecute because 34 years later, I remember every detail; because there are people that can and will corroborate; and because others need to know.

Today, there is broad support for change. We call on Senate Republicans to stop stonewalling. It is time to stand with survivors. Please stand with me. Give me access to justice. Allow survivors the opportunity to stop abusers. I urge you to vote to reform New York's statute of limitations laws for child sexual abuse.

