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Orlando woman rape law

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By Ann Keil, Reporter

Florida legislators are reviewing a proposal to extend the statute of limitations to ten years regarding adult rape. An Orlando woman, Danielle Sullivan, is behind the legislation that is also referred to as the 43 Days Initiative Act.

"I stood up for myself and said, I wasn't going to take it anymore," said Sullivan. She said she was raped five years ago during a business trip.

But her conversation with the Orange County Sheriff's Office came 43 days late, too late for a prosecution. Florida's statute of limitations for reporting adult rape or first degree felony sexual battery is four years.

"Thirty-two states have ten years or more, so when you look at four years, it just isn't enough. A lot of other states are getting it right, and it's time that we do," said House Representative and bill sponsor Rene Plasencia, (R-Orlando)

Sullivan had sought counseling at the Victim Service Center of Central Florida, the certified rape crisis center in Orange and Osceola Counties, that received nearly 970 calls about sexual violence this past year on its 24-hour hotline.

"By the third ring, one of these experts will pick up the phone," said Lui Damiani, Executive Director for the Victim Service Center of Central Florida.

Damiani wants the proposed law change saying victims should be able to seek justice through the legal system when they are ready which can take some real time. "We believe, knowing they don't come to get our services for eight years, on average, that needs to change."

The legislation has the backing of the Florida Sheriff's Association. A spokesperson writes: "Extending the Statute of Limitation for reporting sexual assault, for persons 16 and older, to 10 years would bring Florida in line with the rest of the nation. This much-needed change would provide more time for sexual assault victims to report this crime to law enforcement, and in turn grant more time for law enforcement to investigate this heinous crime."

The Florida Police Chiefs Association also in support. The Executive Director writes: "the FPCA does support it because it provides additional time between when a violent, sexual crime is committed against a Victim, and when charges/prosecution against the offender is commenced. This is especially beneficial when it is a stranger attack."

"If we just raise it a year or two, what we're really doing is protecting criminals," said Representative Plasencia.

Still, he mentioned questions raised about the companion bill in the Senate specifically the ability to collect evidence and prosecute older alleged sex crimes rather than what he argues could be a means to better track serial rapists. He is hopeful these questions will subside though with overwhelming support in two house committees thus far.

"We're showing them, look, people are fighting for you. You are not alone. There are other people around that are fighting for you," said Sullivan.

State Senator Darren Soto, (D-Orlando) the companion bill sponsor, said, "It is an injustice that Florida has one of the lowest statute of limitations for rape and other serious sexual crimes. I am committed to righting this wrong by increasing the time limits and put us in line with the majority of other states to assure victims are protected."

State Senator David Simmons told FOX 35 he believes the statute of limitations for sexual assault should be extended, especially in instances where there is an employer-employee or other confidential-type relationship between the victim and the accused. In these instances, he thinks the statute of limitations should be substantially extended, up to an additional five years.

In a statement, Sen. Simmons also, in part, wrote: "All of this needs to be thoroughly researched and debated in the Legislature so that we can find a proper statute of limitations in these circumstances, so that it is fair to both the victim and the accused."

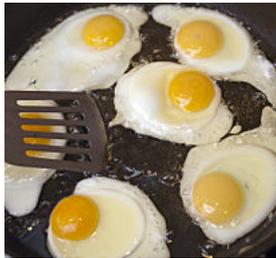
Eighteen states reportedly do not have a statute of limitations regarding rape cases.

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