

## **Richard B. Gartner, Ph. D.**

**Clinical Psychologist**

**14 Fifth Ave #G1**

**New York, N.Y. 10011-8866**

**(212) 533-0345**

<http://www.richardgartner.com>

Dear Members of the New York State Assembly:

As a nationally recognized expert in the area of sexual abuse and its after-effects, I am writing to support the Child Victims Act of New York, recently re-introduced by Assemblywoman Margaret Markey as Bill #A2596. I urge you to support it without amendment.

I am a psychologist and psychoanalyst in New York City who has been treating men sexually abused as boys since the mid-1980s. I am also Founding Director of the Sexual Abuse Program of the William Alanson White Institute for Psychiatry, Psychoanalysis, and Psychology in New York City (see below for other credentials).

FBI studies find that about 1 in 5 American children is abused before the age of 18, a horrific indication of the scope of the problem. But when we consider the nature of child abuse, the damage~is even more staggering.

Conventional wisdom that children are at most risk from strangers is a myth. Most sexually abused children know their victimizers. Sexual predators are frequently family members or family acquaintances.. Often, however, they are caretakers in positions of power and trust--a priest, or a teacher, or a scout leader, or a babysitter, or a coach, or a camp counselor, or a doctor, nurse, or other health care professional. These victimizers are all acting *in loco parentis*. Therefore, sexual abuse by one of them is in some ways similar to abuse by a parent. Predators like this betray children at a most profound level.

This betrayal is an interpersonal experience that has terrible implications for a child's future relationships. The abuser--someone whom the child has believed could be counted on implicitly--has used a power relationship to satisfy his or her own needs without regard to the child's needs. The experience can be a defining one for a young child. So, these children often grow up distrusting people in power, believing they are untrustworthy, malevolent, treacherous, and undependable.

But the problems go beyond relationships with authority figures. Adults abused as children often experience problems in all close relationships. They may be frightened about getting close to others and learn to keep isolated and distant. Among the other common aftereffects of childhood sexual trauma are anxiety, depression, drug and alcohol addiction, prostitution, ragefulness, truancy, poor grades, and even suicide.

These aftereffects obviously have a high social and financial cost to the State. Indeed, among many studies that have estimated the cost of child sexual abuse, a recent one in Australia (which has approximately the same population as New York State) found that in 2007 the real cost of child abuse there was at least \$10.7 billion and could be as high as \$30.1 billion (<http://www.monash.edu.au/news/newsline/story/1373>).

All these factors make it hard for victims to admit to others or even to themselves that they were victimized. They often minimize the impact of abuse for as long as possible, not acknowledging until much later in life that sexual victimization took place. I've had people come see me in their 60s who have never told anyone about being abused in childhood.

Victims of child sexual abuse are often criticized and demeaned for not having come forward at once, or immediately after becoming legal adults. One reason they don't disclose their abuse is that they do not have any faith that they will be believed. And, in fact, they often are not believed. I've heard of children who were told they were telling dirty lies about a pillar of the community, or, even worse, were blamed for seducing such a person.

In addition, abusers often impose silence as part of the betrayal. They may threaten the child physically; or say that a family member will be hurt or even killed if the abuse comes to light; or threaten that the child will be taken away from home and put in foster care or even prison. These beliefs affect the victim well into adulthood.

So, a victim of child sexual abuse often tries to forget the abuse ever happened. The abuse may be remembered but never thought about or not connected to the bad after-effects the child is encountering as he or she grows up. A child may minimize the effects of the abuse or put abuse memories in a frozen recess of the mind, only to have them come out at a later date, often decades after the abuse.

This law is not only about adult victims getting recompense for their suffering. We are also trying to protect vulnerable children in the future. Predators often choose children who are in some way already at risk. They may be weaker than other children, or smaller, or non-athletic, or disabled, or from a disadvantaged minority. They may come from troubled families, be separated from one or both parents, or for some other reason be set apart from their peers. In some cases, their parents are alcoholic or physically abusive. Often, they look to other adults in their lives for solace, comfort, healing, advice, and emotional closeness. Abusers often seem to offer this protection to such a vulnerable child while laying the groundwork for victimization.

With regard to memories that are forgotten for periods of time: There has been much controversy about adults recalling memories of childhood sexual abuse. On rare occasions these so-called recovered memories are false, but far more often they are true. Investigators at Stanford University and the University of Oregon have published research in the journal *Science* confirming a biological mechanism to block unwanted memories (<http://newsservice.stanford.edu/pr/2004/memory114.html> and <http://www.abc.net.au/rn/science/mind/stories/s1057832.htm>). Prof. Ross Cheit of Brown University has found numerous examples of traumatic memories recovered in adulthood ([http://www.brown.edu/Departments/Taubman\\_Center/Recovmem/](http://www.brown.edu/Departments/Taubman_Center/Recovmem/)).

But when a victim finally does come forward and discloses childhood sexual abuse, the institutions in which the abuse took place have usually stonewalled, denied what happened, disavowed any culpability in it if it did happen, and blocked any means for the victim to come to peace with a traumatic history. We have seen this from churches, schools, athletic organizations, scouting and camping groups, and other institutions trying to protect themselves from consequences of the behavior of people who work for them, whether paid or volunteer. When this happens, the original victim is revictimized and betrayed once again. Not only has the predator hurt him, but the institution in which the abuse took place further victimizes him.

And now we come to the larger institution, the State. When the law requires that a young victim bring civil charges against sexual predators and/or the institutions that shielded them within a short period after reaching majority—thus protecting institutions from culpability in the behavior of those who work in their name and under their auspices--the State revictimizes them yet again.

So, I ask you to change this law. Right this wrong for the future by lengthening the statute of limitations. Permit people who have been disenfranchised by the current statute to get legal redress for the wrongs that have been done to them. These men and women were abused as children by sexual predators, and then again by the institutions who countenanced the abuse. Please make sure the State of New York does not hurt them yet again by continuing to protect predators and institutions in this way.

Respectfully yours,

Richard B. Gartner, Ph.D.

Note: In addition to my work at the White Institute, I am a past president of MaleSurvivor: the National Organization against Male Sexual Victimization (<http://www.malesurvivor.org>); author of *Betrayed as Boys: Psychodynamic Treatment of Sexually Abused Men* and *Beyond Betrayal: Taking Charge of your Life after Boyhood Sexual Abuse*; and editor of *Memories of Sexual Betrayal: Truth, Fantasy, Repression, and Dissociation*. I have been widely quoted and interviewed in the media on the subject of child sexual abuse, including 20/20; the New York Times (which printed a full length interview with me in the Science Times); the Associated Press; Los Angeles Times; London Times; Washington Post; USA Today; The Nation; New York Newsday; New York Review of Books; National Catholic Reporter; Paula Zahn Now on CNN; The Early Show on CBS; Geraldo at Large on Fox News; WABC TV-New York; NBC News Channel; MSNBC Cable; and numerous others.