

Reforming Statutes of Limitations on Child Sex Abuse

- **Child sex abuse is an enormous national problem**

It is estimated that one in four women in this country have been sexually abused as a child, and one out of every five men. Compounding the problem is the simple fact that the vast majority of sexual abuse – some studies putting the number at 90% - never gets reported.

- **Even when victims do speak out, current statute of limitations laws for child sex abuse cases favor the abusers over the victims**

In some states, the statute of limitations on child sex abuse is too short for many victims, who often find the courage to speak out and confront their abuser or recover painful buried memories of abuse only after the statute of limitations has run out.

- **Neither the individual states nor the federal government have taken adequate steps to protect victims of child sex abuse**

Sexual offender lists, GPS tracking, pedophile-free zones, and harsher penalties are only effective if offenders are actually convicted and/or publicly known. Victim support programs only help those who are able to come forward. Short SOLs keep the abusers from being publicly identified, restricting or defeating the effectiveness of these precautions.

- **Statute of limitations reform does not target specific groups**

Expanding the SOL for child sex abuse is about helping victims and holding offenders accountable regardless of their identity. When the majority of abuse is by family or family acquaintances, allegations that SOL reform is prejudicial against any institution are groundless.

- **States must either expand or eliminate the civil and criminal statute of limitations for child sex abuse**

State legislatures should follow the example of California, Delaware, and others to eliminate bars on when victims can bring civil suits and authorities can bring criminal charges. Regarding the SOLs, child sexual abuse should be treated more like murder than like a property dispute.

- **The Federal government should encourage SOL reform**

Congress has already intervened in the area of child sexual abuse by creating a national registry of sex offenders and criminal laws when a child is taken across state lines. It is also constitutional for Congress to condition federal funds for health, victim support programs, or law enforcement, for example, on mandated state SOL reform or to withdraw existing funds on a failure to update SOLs.

- **Expanded statutes of limitations result in more predators being held accountable and more victims identified**

Predators generally have more than one victim. While criminal SOLs can not be retroactive, civil SOLs can be. Publicly identifying predators could have the dual benefit of bringing justice to victims and preventing future abuse by the same perpetrator. When California passed reform legislation, over 300 previously unknown offenders were publicly exposed and hundreds of previously unknown victims were able to come forward.