



NEW YORK STATE SENATOR

Catharine Young

## Historic Legislation to Help Survivors of Childhood Sexual Abuse Introduced in the State Senate

CATHARINE YOUNG May 10, 2018

| ISSUE: **CHILD SEXUAL ABUSE, CRIMINAL JUSTICE, MANDATED REPORTERS**



Albany, NY – Landmark legislation introduced in the New York State Senate today will advance justice and healing for the courageous survivors of childhood sexual abuse by making it easier to prosecute perpetrators and provide restitution to victims. Key elements of the measure include creation of a \$300 million state fund from asset forfeiture monies to compensate victims for physical and psychological harm and the elimination of the criminal statute of limitations for child sex offenses.

Sponsoring the measure are Senators Young, Lanza and Phillips as co-primes joined by Senators Amedore, Felder, Funke, Gallivan, Griffo, Helming, Jacobs, Little, Marcellino, Murphy, Ortt, Ranzenhofer, Ritchie, Robach, Serino and Seward.

“Childhood sexual abuse is one of society’s most insidious crimes. Perpetrated on innocent children, often by someone they know and trust, these crimes are frequently shrouded in shame, confusion and silence, leaving victims with deep emotional and psychological wounds that can take decades to confront,” said Senator Young (R,C,I-57th Senate District). “While the wounds will never fully heal, victims deserve access to all avenues of justice, both criminal and monetary. This legislation serves as the bridge to that justice.”

“Today Senator Cathy Young filed a comprehensive and important bill that will give compensation and justice to victims and out predators. This is a sincere effort by Senator Young to help past and future victims. The bill is a work in progress and I urge all parties to work together to bring long-sought healing and justice to victims of child sexual abuse,” said Gary Greenberg, founder of ProtectNYKids.

The cornerstone of the legislation is a state compensation fund that will be available to all time-barred victims of childhood sexual abuse. Administered and overseen by the New York State Comptroller and a chief administrator, the fund will be comprised of \$300 million in asset forfeiture funds from the Manhattan district attorney’s office. After a hearing and review process facilitated by hearing officers experienced in sexual abuse cases, the claims administrator will make a decision on compensation. Information such as the abuser’s name will be made public in cases receiving monetary awards.

“By creating a state compensation fund for victims, monetary reparation for the horrific crimes victims endured will be available to them, regardless of the amount of time that has passed or their abusers’ financial status. More efficient and expedited than a civil action,

deserving victims who have been denied justice in other venues will find redress through this process.”

The legislation also eliminates the statute of limitations for the criminal prosecution of sex offenses against children. One of the most widely underreported crimes, estimates are that approximately 1 in 4 girls and 1 in 6 boys will be sexually abused before their 18th birthday. As a wide body of research indicates, victims of child sexual abuse often take years, or even decades, to come forward as they struggle to come to terms with the abuse they endured as children.

“Victims of child sexual abuse are too often silenced - by their perpetrators, sometimes by disbelieving families and by a system that slams the door on their right to be heard before they have even found their voice,” said Senator Young. “It is time for that to change. That is why a key part of this bill eliminates the statute of limitations for criminal actions. Providing victims with redress through the courts is not only just, it is a crucial part of the recovery process.”

Increased vigilance in reporting and preventing abuse are the goals of the final provisions of the bill which add members of the clergy to the list of “mandated reporters” obligated to report suspected abuse and require criminal background checks for employees and volunteers who work with children.

Senator Elaine Phillips (R-7th Senate District) said: “The effects of childhood sexual abuse are often severe and long lasting -- and the time has come in New York State to compensate all victims. I am proud to sponsor this historic legislation, which not only includes providing timely restitution for victims, but also eliminates the statute of limitations for criminal child sex abuse offenses. With the input of advocates and experts, the New York Child Victims Reconciliation and Compensation Fund was crafted to ensure victims receive the

compensation they are due and that additional measures are made to protect New York's children."

Senator Patty Ritchie (R,C,I- 48th Senate District) said: "The shock and horror of child sexual abuse leaves scars and impacts its victims for a lifetime. Expanding the list of mandated reporters to include clergy, and requiring deeper background checks for those with regular contact with children will stop the abuse and spare future victims. In addition, the bill's legal reforms, including extending the time for prosecutions of abuse cases and creation of a compensation program for past abuses means that predators will no longer be able to hide behind the passage of time, and victims will no longer be denied their right to justice."