



NEW YORK STATE SENATOR

Elaine Phillips

Senator Phillips Sponsors Historic Legislation To Help Survivors Of Childhood Sexual Abuse

ELAINE PHILLIPS May 10, 2018

Senator Elaine Phillips is sponsoring landmark legislation in the New York State Senate that 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.

"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," Senator Phillips said. "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."

"Today Senator Elaine Phillips, and several colleagues, filed a comprehensive and important bill that will give compensation and justice to victims and out predators. This is a sincere effort by the sponsors 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.

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.

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.