



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## Senator Brad Hoylman Introduces "Adult Survivors Act" To Allow Adult Victims Of Sex Crimes To Seek Justice

BRAD HOYLMAN-SIGAL October 25, 2019

| ISSUE: **SD 27, ADULT SURVIVORS ACT**

*Survivors of Abuse By Jeffrey Epstein Who Were 18 Or Older At The Time Of The Alleged Crimes Would Be Among Those Eligible To File Civil Claims Under The Adult Survivors Act*

NEW YORK—Today, State Senator Brad Hoylman (D/WF-Manhattan) will introduce the Adult Survivors Act, new legislation that would create a one-year window for the revival of time-barred civil lawsuits based on sex crimes committed against individuals who were 18 years of age or older.

**Senator Hoylman said:** “For too long, justice has been out of reach for adult survivors of sexual crimes. Survivors have experienced horrific trauma and abuse, and many do not immediately come forward—they deserve our support whenever they decide they are ready to pursue justice. The New York State Legislature has already made historic strides to protect survivors by passing the Child Victims Act and prospectively extending the criminal and civil statute of limitations. Now, we must stand with survivors who have been failed in the past by our state’s insufficient laws, pass the Adult Survivors Act, and give these individuals their day in court.”

Senator Hoylman will introduce the Adult Survivors Act after successfully passing the long-awaited Child Victims Act ([S2440/A2683](#)) through the State Legislature earlier this year

alongside Assembly co-sponsor Linda B. Rosenthal; Governor Cuomo signed this bill into law in February 2019. The Adult Survivors Act institutes a similar one-year look-back window for survivors of sex crimes who were 18 years of age or older at the time these crimes were committed.

For women who survived Jeffrey Epstein's horrific sex crimes as adults the Adult Survivors Act would be an especially important mechanism for restorative justice. Epstein's underage victims will already be able to pursue justice under the Child Victims Act, but multiple survivors who were 18 or older at the time of their abuse currently have limited legal remedies. The Adult Survivors Act would rectify this injustice by providing these survivors with a shot at justice they were previously denied.

**Attorney Jordan Merson, who represents victims of Jeffrey Epstein and other survivors, said:** "Far too often, victims of sexual assault are denied access to the New York courts due to outdated statute of limitations, some of which are as short as 90 days or 1 year. This legislation will give adult sexual assault survivors a chance to be heard through the civil justice system."

**University of Pennsylvania Professor Marci Hamilton, CEO of CHILD USA and longtime advocate for survivors, said:** "Sex assault victims of all ages have been silenced by unfairly short statutes of limitations across the country. New York has been one of the worst states for justice. Window legislation is needed by the victims and the public so that we can identify the perpetrators, shift the cost of abuse from the victims and educate the public."

The Adult Survivors Act creates a one-year window, beginning six months after the bill is signed into law, for the revival of time-barred civil lawsuits for claims arising from conduct that constitutes certain sex offenses that were committed against a person who was 18 or older at the time. To ensure legal proceedings do not drag on and to avoid case backlogs, the bill also includes provisions to give statutory trial preference to revived claims and directs the court system to enact rules for the timely adjudication of revived actions. Legislation

from Senator Alessandra Biaggi and Assembly Member Aravella Simotas ([S6574/A8412](#)) prospectively extended the civil and criminal statutes of limitations for future sex crimes. The Adult Survivors Act would build on these legislative successes by giving past survivors similar legal options.