



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senator Hoylman Responds To Nassau County Supreme Court Ruling Dismissing Constitutional Challenge To Child Victims Act

BRAD HOYLMAN-SIGAL May 13, 2020

| ISSUE: **SD 27, CHILD VICTIMS ACT, COVID-19, SENATE JUDICIARY COMMITTEE**

NEW YORK—Today, a Supreme Court judge in Nassau County reaffirmed the constitutionality of the Child Victims Act (CVA).

Judge Steven M. Jaeger denied the Diocese of Rockville Centre's motion to dismiss a lawsuit filed pursuant to the CVA, claiming that the law was unconstitutional. Judge Jaeger's decision noted that no court in New York has ever struck down a claim-revival statute under a Due Process Clause challenge.

State Senator Brad Hoylman, the Senate sponsor of the Child Victims Act, issued the following statement in response:

“For decades, New York failed survivors of child sexual abuse. Now that the Legislature has passed the Child Victims Act, New York is finally helping them seek justice.

“It's encouraging to see the courts reaffirm the constitutionality of this transformative legislation, though it's to be expected after similar challenges in other states failed as well. Today's ruling confirms what we already knew: New York's Child Victims Act is constitutional.

“Yet today's ruling is also a reminder of the many factors that prevent survivors from coming forward. Legal challenges and constitutional debates continue to prevent some survivors from being heard. That's why it's more important than ever to extend the Child Victims Act's look-back window for a full year, allowing as many survivors as possible to seek justice.

Senator Hoylman and Assemblymember Linda B. Rosenthal sponsor S7082/A9036, which would extend the Child Victims Act's look-back window for otherwise time-barred civil suits by twelve months. Senator Hoylman and Assemblymember Rosenthal also sponsor the Adult Survivor Act (S6810/A8726), which would create a similar look-back window for individuals who survived sexual assault when they were age 18 or older.

RELATED LEGISLATION

2019-S7082

- Introduced

- ◦ In Committee Assembly
 - In Committee Senate

- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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[Extends the time in which to file a claim relating to certain child sexual abuse cases](#)

January 03, 2020

Signed by Governor

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Do you support this bill?

2019-S6810

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to the statute of limitations for civil actions related to certain sexual offenses committed against a person eighteen years of age or older

October 25, 2019

In Senate Committee **Judiciary**

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Do you support this bill?