



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## NY Senate Passes Adult Survivors Act Sponsored by Senator Hoylman

BRAD HOYLMAN-SIGAL June 3, 2021

| ISSUE: **SENATOR BRAD HOYLMAN, SD 27, ADULT SURVIVORS ACT, SEXUAL ASSAULT SURVIVORS**

NEW YORK -- Today, the New York Senate passed the Adult Survivors Act (ASA) ([S.66/A.648](#)), sponsored by Senate Judiciary Committee Chair Brad Hoylman (Manhattan-D/WFP) and Assembly Member Linda B. Rosenthal (Manhattan-D/WFP). This legislation 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 Brad Hoylman said:** “Adult survivors of serial sexual assaulters like Harvey Weinstein, Jeffrey Epstein and former OB-GYN Robert Hadden have been shut out of our courthouses by inadequate statutes of limitations. That ends now. In 2019 we passed the Child Victims Act, which has helped more than 6,000 sexual assault survivors seek justice. The Adult Survivors Act extends that exact same opportunity to thousands more survivors, letting them hold their predators accountable in court. For far too long our justice system has failed survivors of sexual assault, the passage of the Adult Survivors act is a powerful step to fix that historic wrong. I’m grateful for Senate Majority Leader Andrea Stewart-Cousins’ unflappable commitment to seek justice for survivors of sexual assault, and for the leadership and persistence of Assembly Member Linda Rosenthal and so many incredible survivor-advocates.”

**Assembly Member Linda B. Rosenthal, Chair of the Committee on Social Services said:** “The ASA is a common sense, narrowly tailored piece of legislation that will provide adult survivors of sexual assault who were stymied by short statutes of limitations with access to long-denied justice. Now that the State Senate has passed the bill, the Assembly, the People's House, must act to continue to support survivors. I want to thank my partner in the State Senate, Brad Hoylman, for his commitment to survivors and for fighting alongside me and the coalition to see the CVA, and now the ASA become law.”

**Michael Polenberg, VP of Government Affairs for Safe Horizon, said:** “Safe Horizon is extremely grateful for the leadership of Senator Brad Hoylman in advancing the Adult Survivors Act, a bill to create a one-year civil window for time-barred individuals who were sexually assaulted as adults. Over the last two years, the legislature has recognized that New York's statutes of limitations for survivors of sexual violence were not aligned with how survivors process trauma. By passing the Child Victims Act and the prospective extension of the civil and criminal statute of limitations for most felony sex offenses, the legislature made New York's laws more reflective of survivors' experiences. The Adult Survivor Act would expand pathways to justice for the one category of survivors currently left out by these reforms. We thank Leader Andrea Stewart-Cousins and every member of the Senate who voted for this bill, and we urge the Assembly to pass the ASA, sponsored by M/A Linda B. Rosenthal, immediately.”

**Susan Dooha, Executive Director of Center for the Independence of the Disabled, said:** “People with disabilities have experienced abuse by doctors or therapists. They have been silent because they needed treatment and had a limited number of practitioners available to them. They feared rejection and retaliation by the practitioners they turned to for help. The Adult Survivors Act provides an extension of the statute of limitation. This allows more time to process the ordeal and overcome fears of coming forward. We are grateful for the Senate’s

leadership on this issue and ask the Assembly to also move the bill to the floor for a vote.”

**Selena Bennett-Chambers, Director of Public Policy, New York State Coalition Against Sexual Assault, said:** “We know that victims of sexual assault may not disclose what happened to them for many years or even decades. They may feel silenced, powerless, ashamed or struggle with coming to terms with the fact that such a heinous act was committed against them. When these victims come forward, it is important to provide these victims with an opportunity for recourse. It’s also important to provide a pathway to some form of recourse for victims who did come forward at the time of the offense, but weren’t believed or supported. Allowing adult victims of sexual assault, whose claims are time-barred under current law, a one year look back window to pursue a civil claim is an important step forward. We applaud Senator Brad Hoylman, the cosponsors of this bill and all who voted to pass this bill in the New York State Senate.”

**Marissa Hoechstetter, survivor, said:** “By passing the Adult Survivors Act today the Senate has unequivocally said that no matter their age, each victim deserves to be heard. As one of more than 200 women seeking justice in a case against a former Columbia University OB/GYN, I experienced systemic failures to protect women, girls, and pregnant patients during some of the most intimate and vulnerable periods of our lives. In order to stop serial sexual abuse, we need a public reckoning for those institutions that fraudulently conceal such violence. We now look to the Assembly to pass the Adult Survivors Act this session and show survivors that they matter, that we all matter.”

**Sara Ziff, Executive Director Model Alliance, said:** “Many survivors in the fashion industry are time-barred from seeking justice. By passing the Adult Survivors Act, the Senate affirms that all survivors deserve a pathway to justice, no matter how old they were or how long ago the abuse occurred. The Model Alliance commends this important step and urges the Assembly to follow suit before the legislative session ends.”

**Zach Hiner, Executive Director of SNAP, the Survivors Network of those Abused by Priests, said:**

“We applaud the New York legislature for moving this important reform ahead and recognizing that adults who were victims of sexual violence deserve their opportunity to have justice and their day in court. No matter when an individual was abused, every survivor's story can help warn others about abusers and enablers and help prevent future cases from happening in the first place. The ASA is a critical step in the right direction and we hope this law will encourage others who were victimized in the past to come forward and get the help and healing they need.”

**Katelyn Galbraith, Chair, New York State Public Affairs Committee of the Junior Leagues, said:**

“The survivors the Junior Leagues work with need pathways to justice and we need a mechanism to hold accountable negligent institutions who cover up abuse committed by people under their purview. It is unacceptable for organizations in our communities to continue to allow their employees and members to commit sexual assaults. We thank the Senate Majority, Senate sponsor Brad Hoylman and Leader Stewart-Cousins for passing the Adult Survivors Act today and urge the Assembly to pass the ASA for the health and well-being of survivors and the safety and security of our communities.”

**Robert Bender, Sexual Assault Survivor, said:** “A classmate and I were both sexually abused by the same coach. We were born the same year. However, my classmate was just under 18 years old and has been granted access to the courts under the New York Child Victims Act. But, the sexual abuse perpetrated against me happened just a few months past my 18<sup>th</sup> birthday. Now forty years later, with the statute of limitations long passed, only one of us can pursue the justice and closure we deserve. That’s why we’re fighting for the Adult Survivors Act to remedy this injustice. The pain and damage inflicted on sexual assault victims lasts a lifetime. The distinction in the statute of limitations between child and adult is arbitrary at best, and exploitative at worst, because in the end, it serves no real purpose except to let perpetrators walk away without facing any consequences for their actions.”

**Bridie Farrell, President and Co-Founder, America Loves Kids, said:** “We’ve seen how long it can take survivors of sexual assault to speak about the crime or crimes. When one survivor speaks up, it empowers more to speak out. Which in turn can aid in the healing process and make our communities safer. The Adult Survivor Act would give agency back to far too many New Yorkers who have been assaulted.”

Senator Hoylman and Assembly Member Rosenthal first introduced the Adult Survivors Act in 2019, after successfully passing the long-awaited Child Victims Act ([S2440/A2683](#)) through the State Legislature earlier that year. More than 6,000 New Yorkers have used the CVA to seek justice since it was signed into law.

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 New Yorkers who survived sexual abuse as adults, including those in the political arena, entertainment world or in any other institution, the Adult Survivors Act would be an especially important mechanism for restorative justice. Underage victims are already able to pursue justice under the Child Victims Act, but the 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.

###