



We improve the lives and experiences of Maryland's children and youth by advancing policies and programs that tackle disparities and close equity gaps to ensure that there is an opportunity for all our most vulnerable to thrive.

Testimony before the Judiciary Committee

In SUPPORT of

House Bill 687- Civil Actions – Child Sexual Abuse- Statute of Limitations

Rachel White, Child Welfare Director, Advocates for Children and Youth

February 28, 2019

Thank you for the opportunity to provide testimony on House Bill 687- Civil Actions – Child Sexual Abuse— Statute of Limitations. Advocates for Children and Youth (ACY) supports this bill.

A statute of limitations is the time within which a lawsuit has to be initiated by an injured party.¹ In Maryland, as in almost every state, in civil actions where the victim is a minor when the action occurred, the statute of limitations does not begin to run until that victim reaches the age of majority.² The statute of limitations for child sex abuse cases is often longer than other offenses against children because many children who were victims of sex abuse do not feel safe reporting the abuse until they are adults. HB 687 eliminates the statute of limitations altogether.

In Maryland, over the last year, there were 1,305 cases where the Local Department of Social Services (LDSS) found that a child under 18 was sexually abused.³ There were 718 child sexual abuse investigations by LDSS that were unsubstantiated, which means there was not enough evidence to find that the abuse had occurred, but it could not be ruled out either.⁴ However, studies have shown that most sexual abuse is never even reported. Furthermore, a LDSS only gets involved in an instance of child sexual abuse where the abuser is a parent or other caregiver.

For many adults who were sexually abused as children, it is not until they have received a great deal of therapy as an adult and have overcome the trauma from the abuse that they are able to pursue civil remedies, and they might be much older than 25.⁵ Eliminating the statute of limitations will help ensure that a greater percentage of child sex abuse victims are able to receive civil remedies.

We urge this Committee to issue a favorable report on HB 687 to eliminate the civil statute of limitations for victims of child sexual abuse to help these victims heal as adult

¹ <http://www.ncsl.org/research/human-services/state-civil-statutes-of-limitations-in-child-sexua.aspx>

² Id.

³ Department of Human Resources. Data and Reports. Monthly Child Welfare Data, January 2019, p.21. (<http://dhs.maryland.gov/documents/Data%20and%20Reports/SSA/Monthly%20Child%20Welfare%20Data/SFY%202019/2019-01-January/Child%20Welfare%20Trends%20Report%20-%20January%202019%20-%20Final.pdf>)

⁴ Id. at p.25.

⁵ <http://sol-reform.com/what-is-a-sol/>

