

The Proposed National Child Victims Act (NCVA)

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### **Abstract**

Child sexual abuse impacts a significant number of children throughout the United States, and studies show that only 25-33% of sexual abuse victims report the crime in childhood (Sprober, et al., 2014). Child sexual abuse is clearly defined for the purpose of educating the readers. Each state has different statutes of limitations regarding child sexual abuse which can cause confusion in victims who live in different states. Some statutes of limitations are very narrow, which does not allow victims to report their abuse later in life. This advocacy plan proposes a federal statute of limitations for child abuse, which would be called the National Child Victims Act (NCVA). This policy would allow victims to report child sexual abuse crimes until the age of 55 years old in order to seek felony indictment for the perpetrator. The victim would also have up to 10 years, during any time in his/her life after he/she has been discovered to have a psychological trauma related to the crime, to be able to file civil suits against the offender. The theoretical framework used for this plan is the Advocacy Coalition Theory (ACT) framework. This report documents the history of child sexual abuse legislation in the United States and provides a literature review on evidence based practices. Coalitions and legislative sponsors/co-sponsors are identified as well as a planned media campaign to raise awareness for the policy. An advocacy plan is outlined to show the steps taken to implement changes on a federal level.

### **Topic of Focus**

Child sexual abuse is a very pervasive issue in the United States and has significant impact on individuals of all ages. In 2017, over 674,000 children were victims of maltreatment, and 56,416 of those children were victims of sexual abuse. In addition, an estimated 1,720 children died of abuse and neglect during that time period. (U.S. Department of Health and Human Services A. o., 2019). The World Health Organization (WHO) defines child sexual abuse as “the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society” (World Health Organization, 2003). Child sexual abuse has lasting effects physically, mentally, and emotionally on the child as he/she ages into adulthood. Victims of child sexual abuse are four times more likely to develop symptoms of drug abuse and/or experience post-traumatic stress disorder (PTSD), and three times more likely to have a major depressive episode as an adult (Zinzow, et al., 2012). Survivors of child trauma have been found to lifelong difficulties that can lead to addictive disorders, chronic physical illnesses, and/or interpersonal issues (Cook, et al., 2005). Prolonged child sexual abuse is also “related to delinquency, drug use, and other problem behaviors” in the victims throughout adulthood (U.S. Department of Health and Human Services A. o., 2019).

Although child sexual abuse is an extensive issue, many times, the crime is not reported to appropriate authorities until years and decades later. Children are less likely than adults to disclose their sexual abuse, and disclosure of the event tends to be over time rather than a single episode (World Health Organization, 2003). A study compiled by the National Child Protection Training Center (NCPTC) shows that while children may not understand the players or

terminology used during the court process, they know that the process impacts their happiness, safety, and well-being; therefore, they want to be heard and have a say in what happens (Mulkey, 2015). Yet, self-report studies show that 20% of adult females and 5-10% of adult males recall childhood sexual abuse incidents (National Center for Victims of Crime, 2011). Other studies have shown that only 25-33% of sexual abuse victims report the crime in childhood (Sprober, et al., 2014), and 33-70% of victims disclose childhood abuse in adulthood (Priebe & Svedin, 2008).

Factors that can inhibit children from divulging the abuse including, but not limited to, guilt, manipulation of the perpetrator, fear for their family or their own safety, and/or concern for the safety of the perpetrator, especially if the perpetrator is a family member (Murray, Nguyen, & Cohen, 2014). Individuals proceed at different paces when working through and processing trauma, and some may take longer than others depending on individual coping styles, support systems, and previous experiences. Victims of trauma may experience immediate and delayed reactions to trauma that affect their ability to process the trauma in a healthy manner (Center for Substance Abuse Treatment, 2014). Although it is important to report crimes regardless of when they happened, only an average of 38% of children who are victims of sexual abuse disclose the incident (London K. , Bruck, Ceci, & Shuman, 2003).

Currently, there is no federal statute of limitations regarding sexual abuse of children, and the policies vary significantly among each state. Out of the 50 states, 46 of them do not have any statute of limitations to pursue criminal charges if enough evidence is provided, and 10 states do not have any statute of limitations to pursue civil charges. The states that have no statute of limitations for child sexual abuse are Alaska, Arizona, Colorado, Delaware, Florida, Georgia, Kentucky, and Maryland (Child USA, 2019). The states with the broadest statute of limitations

for child sexual abuse are Delaware and Vermont, and the states with the narrowest statute of limitations for child sexual abuse are Ohio and Pennsylvania (Hamilton, 2019). Since each state has different laws regarding the age of reporting and statute of limitations for child sexual abuse, it can be assumed that the multitude of laws could lead to confusion and difficulty if the victim or perpetrator moves from state to state. Varying laws regarding the statute of limitations leads to decreased cooperation among states and difficulty with communication (Gallagher, 2014).

The proposed National Child Victims Act (NCVA) would enact a federal policy regarding child sexual abuse statute of limitations. The policy would be a compromise between conservative and liberal agendas and would provide enough time for victims to seek justice for the crimes committed against them, but also protect the innocent who may be accused of such crimes. The NCVA would allow victims to report child sexual abuse crimes until the age of 55 years old in order to seek felony indictment for the perpetrator. The victim would also have up to 10 years, during any time in his/her life after he/she has been discovered to have a psychological trauma related to the crime, to be able to file civil suits against the offender. There would be a five-year revival period once the proposed law was in place to allow victims to come forward who were previously unable to report their crimes due to the stricter statute of limitations in their individual states.

### **Theoretical Framework**

There are multiple theoretical frameworks used when analyzing policies, but the main one that ties in with the proposed National Child Victims Act (NCVA) would be the Advocacy Coalition Theory (ACT). This theory analyzes policy change over a long period of time and recognizes changes in the preferences and beliefs of members of society over time. The emphasis

of ACT is multidimensional problem definition, policy formulation, adoption, and evaluation (O'Connor & Netting, 2011)

ACT focuses on the individual values, assumptions, and perceptions of the world and how individuals make decisions based on those factors. Individual belief systems affect behavior and ability to advocate for themselves (O'Connor & Netting, 2011). Adults who were sexually abused as children tend to have negative viewpoints of themselves and different perceptions of the world. The victim's ideology can hinder him/her from reporting sexual crimes imposed upon him/her as a child, as well as, lead him/her to feel unworthy of receiving help. While child sexual abuse policy has changed significantly over the past 200 years, amendments for the specific statute of limitations in regard to child sexual abuse has only been revised within the past 20 years. Understanding the history of child sexual abuse policy in the United States is important to be able to advocate for future policy.

### **Researching the Issue and Literature Review**

The history of legislation regarding child sexual abuse is a difficult to measure due to the varying viewpoints of past societies regarding childhood and morality. Throughout the Age of Industry in the 19<sup>th</sup> century, children were considered nothing more than part of the workforce and property of the patriarch of their household. One of the earliest laws regarding child sexual abuse was the Offences Against the Person Act of 1861, which stated that it was illegal to have sexual intercourse with a girl who was under the age of 10 years old. This law was gradually revised until the age of consent was raised to 16 years old (Rosen, 2010).

Prior to 1875, there were no formal organizations to protect children from abuse. The first formal child protective organization was founded by Henry Bergh, who was also the founder of

the American Society for the Prevention for Cruelty to Animals (ASPCA). He along with others started the New York Society for the Prevention of Cruelty to Children (NYSPCC), which provided protection against abuse, but did not specifically provide protection against sexual abuse. The NYSPCC led to juvenile court systems, which led to the first government-sponsored child protective services in the late 1970s. The first state child abuse reporting law went into effect prior to 1963 which required doctors to be mandated reporters, and all states had their own versions of reporting laws by 1967 (Myers, 2009). The Child Abuse Prevention and Treatment Act (CAPTA) was signed in 1974, which provided governmental regulations on child maltreatment and abuse by outlining minimum standards for defining physical abuse, neglect, and sexual abuse as well as implementing laws regarding prosecution for such acts. CAPTA also allowed federal grants to be provided to states for child abuse prevention and treatment programs. The National Center on Child Abuse and Neglect (NCAAN) was also founded in the late 1970s as a national conference to discuss policies and brainstorm ideas for new interventions in child protection services (U.S. Department of Health and Human Services, 2014). One of the first ground-breaking investigators in researching child sexual abuse was Vincent de Francis, and in 1969 he published the results of his study of 250 sexual abuse cases. His research found that child sexual abuse was a greater incidence than physical abuse in children and two thirds of the children studied had emotional issues from the trauma (Myers, 2009). Many children who were victims of sexual abuse were protected under child abuse laws, but child sexual abuse was not specifically addressed legally until the end of the 1970s. The enactment and revision of reporting laws and the signing of CAPTA were two of the events leading up to legislative policy for child sexual abuse (Myers, 2009).

There are many individuals alive today who were children prior to the government becoming involved in child protective services and the implementation of CAPTA in the 1970s. Therefore, many children who were abused prior to the 1970s did not have as much protection or justice for acts of abuse against them at the time and are now older adults. California was the first state to pass legislation to open a one-year “look back” window for victims of child sexual abuse to reopen their civil cases against their perpetrators. This was inspired by an investigation by the Boston Globe on the Catholic Church in 2002 to identify institutional cover-ups for individual perpetrators within the church. Marci Hamilton is the CEO and academic director of Child USA and is a leading expert on the statutes of limitations for child sexual abuse. She has been following and investigating policies regarding child sexual abuse over the past 20 years. She found that over 1,150 lawsuits were filed against the Catholic Church, the Boy Scouts, and other institutions in one year (Kwiatkowski & Kelly, 2019). The investigation on the Catholic Church in 2002 led to a shift in focus from individuals in sexual abuse to the overall society (Hamilton, 2019).

Following the Boston Globe investigation on the Catholic Church in California, Philadelphia District Attorney Lynne Abraham initiated an investigation into Archdiocesan clergy child sexual abuse in 2005. The investigation found that child sexual abuse was a pattern among multiple Catholic parishes, dioceses, states, and countries (Commonwealth of Pennsylvania, 2014). Other historic developments that caused reform of child sexual abuse statute of limitations include media coverage of testimonies of survivors of abuse from Dr. Larry Nassar and news coverage on Jeffrey Epstein’s child sex trafficking operation to major public authorities and figures (Hamilton, 2019).

When adjusting the child sexual abuse statute of limitations over the past 20 years, many states have faced opposition from the Catholic Church, Boy Scouts, and the Republican Party. Many Catholic priests were targeted by the bill, and there was concern by the Republican Party amended statutes of limitations could cause bankruptcy in the Catholic church, which is one of the largest nongovernmental providers of human services in the United States. The Boy Scouts of America were also in opposition to the bill, as it would target many of their leaders as well (Evans, 2017). Insurance companies may also oppose efforts to give survivors more time to file civil charges due to increased caseloads and cost to their companies (Glorioso & Stulberger, 2018).

In 2019, 23 states have passed new statute of limitations laws that have gone into effect. Out of the 50 states, 46 have jurisdictions with no criminal statute of limitations, and 10 have jurisdictions with no civil statute of limitations (Child USA, 2019). Other states continue to work towards amending their statute of limitations, but the laws continue to vary significantly from state to state. This can cause confusion for individuals who may have been abused in multiple states and/or moved to different states since the time they were abused as children. There may also be difficulties if the perpetrator lives across state lines from where the crimes occurred.

### **Presentation of the Brand and Support Mapping**

The NCVA was developed based on revisions and amendments added to multiple state policies, as well as the average age of reporting and theories of trauma. The statute of limitations for child sexual abuse is not to be fully revoked due to the need to protect the innocent and decreased reliability of evidence over time. Studies show that temporal proximity of the crime is important because of many different issues including decreased amount of witnesses/potential leads, decreased reliability of DNA due to human error in storage of samples, and subjective

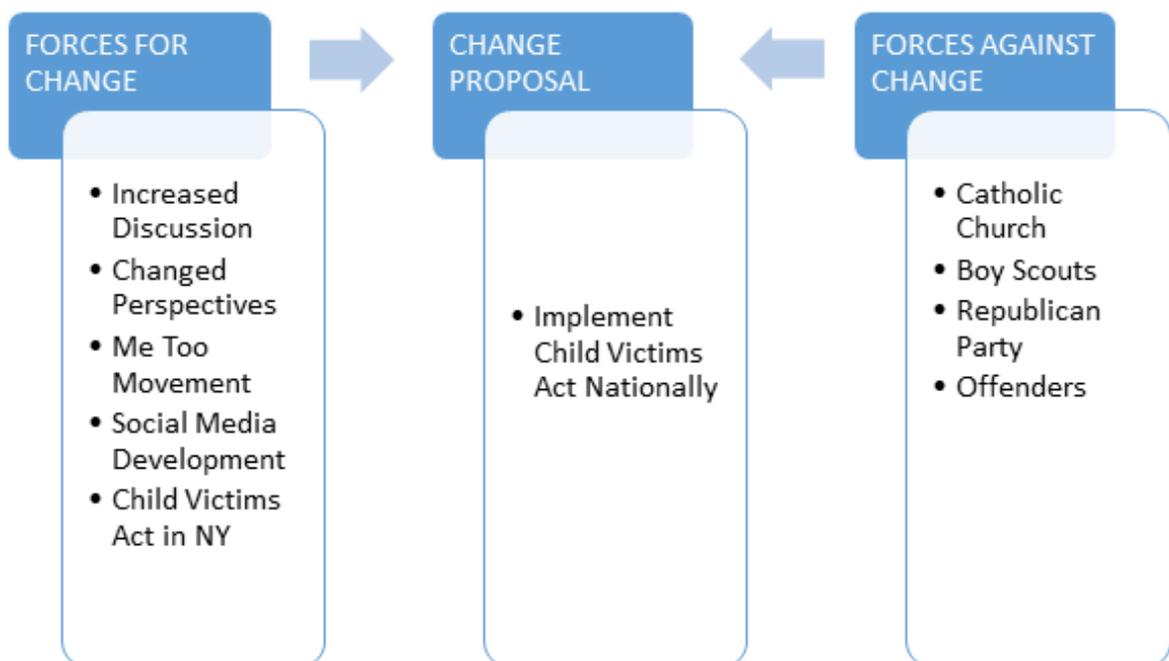
interpretation of evidence. It is also noted that the lack of due process and a statute of limitations is bad for the victims as well. Most states have a baseline statute of limitations but will reopen cases if new DNA evidence is found. She also reports it is in the best interest of the defendants to have a statute of limitations and provides a level field for them when being accused of sexual abuse crimes (Brown, 2017).

Although it is important to keep a statute of limitations, the statute of limitations implemented would need to be beneficial to victims on a national level. Studies show that the average age of reporting child sexual abuse crimes is 52 years old (London K. , Bruck, Ceci, & Shuman, 2003). It would be most beneficial to victims to have the statute of limitations after the average age of reporting, so it seems best to have the national statute of limitations a few years after that age, at 55 years old. As discussed previously, there are many different factors that can keep victims from reporting child sexual abuse at the time of the crime, and it can take years for the victims to process the trauma enough to be able to self-disclose the event. Providing a 10-year discovery period would allow individuals to process through the trauma and still pursue civil litigation up to 10 years after they have been discovered to have psychological harm due to the childhood sexual abuse.

There are many potential forces that could be used against the NCVA including the certain state representatives that may not agree, and the Catholic Church, Boy Scouts, and insurance companies. Because each state has different statutes of limitations, the representatives from states that do not have any statute of limitations could possibly be a force against change if they decide to vote against the policy on a federal level. The Catholic Church, Boy Scouts, and insurance companies have been outspoken about their opposition to increasing the statute of limitations for specific state policies; therefore, it is assumed they would be in opposition to a

federal policy as well. The potential advocacy against the NCVA on the part of the Catholic Church, Boy Scouts, and insurance companies could possibly persuade legislators to not pass the policy as well.

On the other hand, there are multiple forces for change that could benefit the NCVA. Clergy abuse scandals in the news media, lawsuits against public figures, the #MeToo Movement, changed perspectives in society, increased discussions, and social media development are all examples of potential forces for change. Increased awareness and discussion on the topic of child sexual abuse statutes of limitations would help unite the public in favor of the policy. Perspectives of individuals in society could change once they learn about the long-term trauma that victims often experience after being sexually abused as children. The #MeToo Movement and social media development is a great source to increase awareness and open the minds of individuals, and it helps victims of abuse get the chance to share their testimonies in a non-judgmental/supportive environment.



There are many reasons why the National Child Victims Act (NCVA) should be implemented on a federal level:

1. Many states have different laws regarding the statute of limitations for child sexual abuse, and it is important to find what works best to implement on a national level. It is reported that state laws regarding child sexual abuse statutes of limitations vary significantly, which can cause increased issues to victims attempting to file criminal charges and/or civil suits (Edwards, 2018). Victims moving across state lines may find it difficult to disclose the abuse, while perpetrators may cross state lines to get away from criminal and/or civil charges against them. Therefore, implementing a federal policy would eliminate the confusion and provide justice to all victims of abuse in the United States, no matter what state they are from.
2. Although it is a highly debated topic, it has been shown that it is important to have some statute of limitations in order to protect the innocent and avoid unnecessary conflict that may arise if there is no limitation in place. There are many purposes for having statutes of limitations including decreasing the likelihood of deterioration of evidence, providing equal ground for the defendants and plaintiffs, promoting diligence, encouraging prompt law enforcement, and reducing the volume of claims filed (Ochoa & Wistrich, 1997). It is important to find a balance between protecting the rights of the victim as well as protecting the rights of the defendants.
3. Children who are victims of sexual abuse may have a difficult time processing their emotions, and it may take years for them to fully comprehend what has happened. Children are likely to suppress their emotions, which can lead to other issues later in

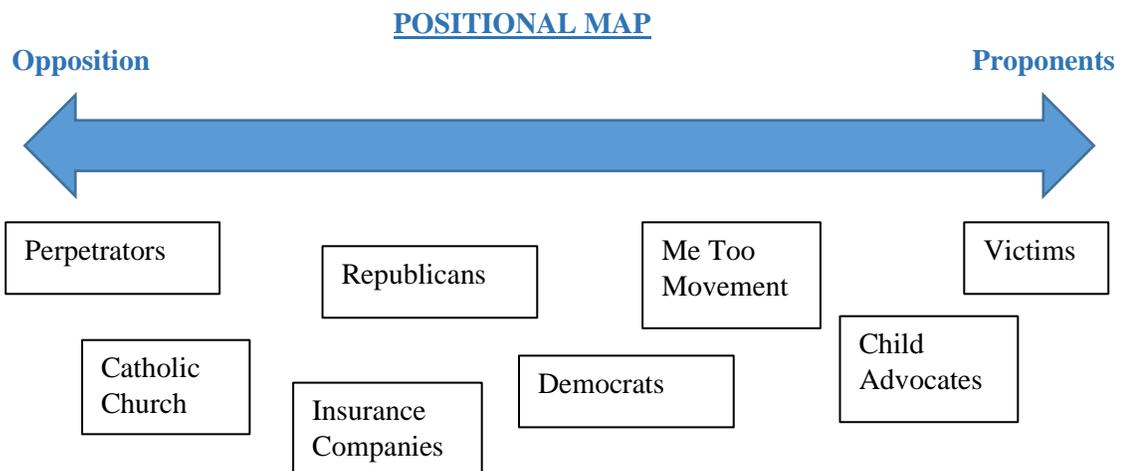
adulthood. The suppression of these emotions makes it difficult for the child to discuss the event (Brandt, 2018). Studies show that only an average of 38% of children who are victims of sexual abuse disclose the incidence (London K. , Bruck, Ceci, & Shuman, 2003), and most of the reports that victims do disclose are valid, with only 4-8% being fabricated (Everson & Boat, 1989). Research also shows that childhood sexual abuse can cause multiple other comorbidities in the victim into adulthood. Some of these comorbidities include increased risk of suicide, increased risk of alcohol use and eating disorders, memory issues, issues with socialization, possibility of developing various personality disorders, and possibility of developmental issues (Meyers, 2010). These comorbidities can cause it to be even more difficult for individuals to report their sexual trauma, and they may need more time to report it.

4. Reports also show that failure to disclose childhood sexual trauma led to higher rates of PTSD and depression (Yuan, Koss, & Stone, 2006). The inability of a child to process the negative emotions surrounding the act of sexual abuse can cause lasting emotional wounds and other issues as an adult. It is also shown that when we have negative emotions as children, we generalize those feelings into who we are as a person, which affects how we perceive ourselves into adulthood (Brandt, 2018). Part of the process of healing is dealing with the event and obtaining closure. Specialists discuss how confronting the act of sexual abuse is imperative in the healing process and allows more hope for the future (Meyers, 2010). One of the ways to confront the event is to disclose the event to appropriate sources. Because of the lasting effects of the sexual trauma, it is important that individuals can disclose the event, no matter what age they are. The

victim may be able to obtain closure if he/she is able to file a civil lawsuit against the perpetrator later in life.

5. Lastly, seeking justice for sexual abuse crimes, no matter what age the victim is, is important for the safety of communities. According to the Rape, Abuse & Incest National Network (RAINN), more than half of all alleged rapists have at least one prior conviction, and many often commit repeated crimes following release (RAINN, 2019). This makes it even more important to have the ability to report sexual abuse crimes, to decrease the chances of it reoccurring with others.

There are many legislative allies who would be in favor of the National Child Victims Act. Child advocates as well as victims would most likely be in favor of the change of statute of limitations to be the same nationally. This is because if the victim relocates to a new state, then he/she would still have the opportunity to report the abuse. The victims would also have more time to process the trauma, yet still report the crime for civil and/or criminal charges. One example of a child advocate who would most likely be in favor of the National Child Victims Act is Marci Hamilton, the lead expert and CEO of Child USA. She has been investigating different statutes of limitations in various states, and she was a leading expert in the Boston Globe investigation that led to the first amended statute of limitations for child victims in California in 2002 (Kwiatkowski & Kelly, 2019).



Of note, there are several assumptions that can also be made about possible opposition to the NCVA:

1. The researchers can only make assumptions on whether the Democratic and Republican parties would be in favor of or against the implementation of a national statute of limitations for child sexual abuse victims, due to the different views of individual members and leaders in the parties and a widespread concern for the well-being of children. It is assumed that the Democratic party would be in favor of the NCVA due to the party's liberalism and belief in individual rights. It is also assumed that the Republican party would be opposed to the NCVA due to the pushback received from the Republican party in implementing the New York Child Victims Act, and the concern of the party regarding financial restraints on society with increased lawsuits (Diften, n.d.).
2. The Catholic Church and Boy Scouts of America have spent millions of dollars related to child sexual abuse allegations against their leaders. The Church and the Boy Scouts have been opposed to multiple statutes of limitation changes in other states due to the fear of bankruptcy (Kwiatkowski & Kelly, 2019). Thus, it is assumed that the Catholic Church and Boy Scouts of America would be opposed to a federal statute of limitations that allows victims to report sexual abuse crimes later in life.
3. Many insurance companies were opposed to the Child Victims Act in New York due to the magnitude of child sex abuse claims that would be filed retroactively. The increased number of claims would be difficult for insurance companies to financially handle (Glorioso & Stulberger, 2018). Therefore, it could be presumed that insurance companies would be just as opposed to a national standardized statute of limitations for child sexual abuse victims that also allowed a look-back window for past claims.

4. It is unclear whether the Supreme Court would be in favor of a nationalized standard of child sexual abuse statute of limitations, and the members may be persuaded by arguments in favor of the policy
5. Individual state governments would vary in their stance on being for or against the NCVA due to different state policies regarding the statute of limitations. State governments are a neutral aspect, because some states may not want to have any statute of limitations and some may want more strict statute of limitations. The implementation of a nationalized standard statute of limitations may be opposed by different states due to taking some of the power away from the states, but it may also be beneficial to states due to the decreased caseload and use of resources on state legal systems. The NCVA has taken in aspects from both sides of the argument for statute of limitations in various states to have a better chance of passing the proposed bill on a federal level. It continues to have a statute of limitations but has expanded the time frame for those limitations.

### **Plans to Form a Coalition**

In order for an advocacy campaign to be effective, there needs to be alliances with different coalitions. The advocacy campaign group will be the steering committee and will delegate to other coalition members as they are added. The core steering committee members will work towards organizing rallies, encouraging individuals to give testimonies, enacting the media campaign, drafting legislation, researching legislative approaches, creating/providing campaign materials, and recruiting volunteers to assist in the campaign. Each partnership with coalitions, interest groups, and organizations will be used to strengthen and navigate the implementation of the policy.

The #MeToo Movement is a coalition that could aid in raising awareness nationally. The movement has resources for local and national organizations to support victims from sexual abuse. It uses testimonies from survivors to empower victims through empathy and understanding. Some of the other logical partners would include the National Sexual Violence Resource Center (NSVRC), and the Rape, Abuse & Incest National Network (RAINN). These specific partners provide information and resources to assist with the legal aspect of legislative policy, so their role would be to draft the proposal for the national legislation. RAINN has a national sexual assault hotline, and they provide programs to prevent sexual assault and support sexual assault victims.

Another coalition that would be very beneficial to the campaign would be the American Civil Liberties Union (ACLU). This organization advocates for human rights on a federal level by fighting legislation, lobbying, and filing court cases when necessary. They work specifically with legislators to ensure certain statutes exist to protect human rights. This coalition member will be one of the biggest assets for lobbying and assisting in drafting/editing the policy.

The Child Welfare League of America (CWLA) would also be a good partner for the campaign because they provide a network of hundreds of private and public child welfare agencies that collaborate to advance policies to prevent child abuse. Other interest groups include Prevent Child Abuse America (PCAA), the National Children's Advocacy Center (NCAC), and the National Association of Social Workers (NASW). The roles of these organizations would be to assist in lobbying for the policy and to approach legislators along with the core members in the steering committee. The Ghost Note, based in Washington D.C., would be helpful in crafting campaign materials. Their purpose is to help citizens understand government policies, so they would be an excellent partner to help "brand" the campaign.

An odd bedfellow that may be a beneficial partner with the NCVA coalition would be the Girls for Gender Equity program. The program mostly focuses on gender equity and harassment, and the campaign members would hope to convince the program members to assist in advocating for the NCVA. It would be beneficial to the cause because they work to help combat sexual harassment in schools and are also a partner of the #MeToo Movement.

### **Media Campaign**

A media campaign can accomplish many goals when implemented properly, but the main goal is to educate voters, citizens, congress members, and all individuals who are interested in learning more about child sexual abuse. The hope of the campaign developers is that the voters and citizens will be able to advocate to their congressmen in favor of the proposed National Child Victims Act (NCVA). By implementing a media campaign, it will allow voters and citizens to know the steps to take to advocate for the policy. The media campaign will also serve to educate victims of child sexual abuse on the exact statute of limitations for their individual states in order to know what their options are regarding reporting the event. The purpose of educating other individuals on the statute of limitations and child sexual abuse is to gain support for federal legislation that allows victims of sexual abuse to be able to report their offenders later in life. The broader goal of the campaign developers is that state representatives will be notified of the proposed policy and will be willing to sponsor/co-sponsor and introduce the bill into their respective legislative sessions on a federal level. Educating other individuals on child sexual abuse and the goals of the policy will help spread awareness of the policy and get others involved in advocating for it.

The media campaign will consist of four different outlets to educate others and show them how they can advocate for the policy. The main media outlet for the campaign will be a

website about the National Child Victims Act (NCVA) and other statistics. The campaign will also consist of a NCVA Policy Group on Facebook that is open to all public. It will also include an Instagram and Twitter account and will include hashtags to help publicize the policy and educate others on statute of limitations. Lastly, the campaign will include a Youtube channel that will include stories of individuals who agree to participate. Of note, because the campaign does not have any funding sources at this time, it would not consist of any TV or paid advertisements. The hope for the media campaign is to raise awareness about the policy enough to get attention from news stations and to allow individuals in society to spread the information by word of mouth.

The Youtube channel will include a video that discusses statistics on child sexual abuse and different state policies similar to the proposed NCVA. Some of the statistics included will be how many people are affected daily and yearly by child sexual abuse and restrictive statute of limitations laws, as well as how different states implement statutes of limitations. The Youtube channel will also include videos of victims who wish to share their stories, to show how a national policy on statute of limitations for child sexual abuse can help others. These videos will be vetted by the campaign staff but will only be edited for public consumption.

The Twitter page will include a hashtag as #NCVA for individuals to use. There will be short messages regarding updates to policies on child sexual abuse and will link back to Facebook and the website for more information. The Instagram page will only be used to share personal stories from victims who choose to share their stories, once reviewed by the campaign leaders. Individuals who wish to share their stories will be notified that no changes will be made to their stories unless inappropriate for public viewing. The Instagram will also link back to Facebook and the NCVA website for more information.

The Facebook page will be a group that is open to all public. It will contain statistics of child sexual abuse as well as current state policies and statute of limitations. It will have stories of victims of child sexual abuse, as noted above, and will include links to the Youtube, Twitter, Instagram, Child USA website, and NCVA websites. The Facebook page will be updated twice per week to begin with, then monthly. It will also be updated as new legislation or news comes out regarding child sexual abuse and state or federal policies. As the NCVA is pushed through Congress and Senate, the Facebook page will include a list of all congressmen/senators who are for, against, or pending the bill, and will include contact information for each. There will be a section that will urge others to call, write, or meet with their representatives, and will show suggested talking points and ways to draft letters/emails to the representatives. This will be included to allow individuals who visit the Facebook page to contact their congressmen/senators to help pass the NCVA. The Facebook page will urge others to join the coalition and advocate for the policy.

Lastly, the NCVA website will include all information regarding the purpose of the NCVA, the progress that has been made, the NCVA policy brief and fact sheet, and other information and statistics regarding child sexual abuse and reporting habits. The website will have a section that lists all congressmen/senators who are for, against, or pending approval on the bill, and their contact information, as with the Facebook page. There will be a section that will urge others to call, write, or meet with their representatives, and will show suggested talking points and ways to draft letters/emails to the representatives. This section will also include the current standing of each representative in approving the NCVA, as well as each state's current policies on the statute of limitations. It will have another section with the Youtube videos of victims who wish to share their stories and will include a link to the Youtube channel. It will also

include links to the Facebook, Instagram, and Twitter pages. Another section on the website will include statistics on child sexual abuse, including the harm it can cause later in life. Scholarly articles will be referenced and linked on this page for individuals who wish to learn more about child sexual abuse. The website will include a calendar with campaign events, policy gatherings, and other important information regarding the NCVA.

There are several specific steps that will be implemented to start the media campaign:

1. On October 20, the campaign members will gather information regarding the statute of limitations for each state. The information gathered will include how the policies are implemented and how it has made a difference for individuals in that state. This is how the campaign will be moved to a national level
2. On October 23, the campaign members will meet to create educational materials that will be posted on the online channels and social media avenues.
3. On October 27, the campaign will begin to create the NCVA website and Facebook page that will increase awareness about child sexual abuse and state policies regarding reporting. The Instagram, Twitter, and Youtube pages will also be created and will link back to the Facebook page and website. The deadline for all media websites to be finished will be November 1, when the first posts will appear.
4. Starting November 1<sup>st</sup>, information will be posted to Facebook daily for 2 months. Instagram and Twitter posts will be posted once per week for two months, also starting November 1<sup>st</sup>. The Youtube video regarding statistics of child sexual abuse and basic information about the NCVA will be posted on November 1<sup>st</sup>, and other videos of victims' stories and testimonies will be posted as people come forward.

5. Starting January 1, information on the Facebook page and website will be posted bi-weekly, or as other news regarding policies comes along. Instagram and Twitter information will be posted monthly.

### **Advocacy Plan**

As mentioned previously, the overarching goal of the National Child Victims Act (NCVA) is to create a federal statute of limitations for reporting child sexual abuse. This would allow victims of child sexual abuse to process their emotions at any time in their lives and move on by obtaining closure. It would incorporate multiple state policies to provide a national policy that would be the same for every state, which would help decrease confusion during the event where reporting the crime was necessary.

The goal of the advocacy plan is to reach out to possible sponsors/co-sponsors and other supporters who would be willing to help pass the NCVA. The identified focus for the advocacy plan in order to implement the NCVA would be the federal legislature, because state representatives would need to sponsor and vote to pass the policy on a national level. The other target for the advocacy plan would be the general public, voters, and advocacy programs who can pressure their elected representatives to support a federal law.

There are many different strategies that can be used to advocate for the NCVA on a local, state, and federal level. Raising awareness about the policy to the general public, or indirect advocacy, is the first major step to an effective advocacy plan. Social media is an important advocacy tool that can be used to notify the public about the law that is trying to be passed. Studies show that social media is used to shape lobbying debates as well as improve and increase public image of the campaign (Chalmers & Shotton, 2015). Media outlets such as Facebook,

Youtube, Instagram, websites, or news stations can help to educate the public on what the goals are for the policy being recommended. A qualitative research study found that social media is an effective tool in increasing the interest and engaging the public in advocacy and policy reform. The use of social media was found to facilitate engagement with particular social issues, which provided motivation for collective action (Bowen, Gordon, & Chojnacki, 2017).

Another way to raise awareness is by providing legislative advocacy education programs for the public population. Researchers studied the effectiveness of parent legislative advocacy programs for children with developmental disabilities and outlined the importance of individuals who are close to or experiencing issues to advocate for change. The findings showed that participants were more likely to engage in legislative activity (formal and informal) and had more motivation to learn about advocacy after attending programs that taught them how to advocate (Burke & Sandman, 2017). By teaching individuals and/or relatives of victims who have experienced child sexual trauma to advocate, the influence and support of the legislation is increased exponentially.

An additional way to advocate for policy is the involvement of groups and coalitions. Researchers used a multilevel model to assess data from lobbying entities and content analysis of regulations from seven United States federal agencies to find if coalition lobbying affects policy. They found evidence that coalition lobbyists do have important influence on policy change and under certain conditions, they can affect government policy outputs (Nelson & Yackee, 2012). There are multiple interest groups that could help advocate for the NCVA including Prevent Child Abuse America (PCAA), the Rape, Abuse, & Incest National Network (RAINN), the National Children's Advocacy Center (NCAC), the National Association of Social Workers (NASW), and many more.

Lobbying is found to be an effective way to advocate within the legislative branches of government on the federal level. The National Alliance to End Sexual Violence (NAESV) outlines two types of lobbying: grassroots lobbying and direct/inside lobbying. Grassroots lobbying is urging the public to action through media outlets and mass advertisements, while direct lobbying is contacting legislators directly (National Alliance to End Sexual Violence, n.d.). Studies have found that grassroots lobbying is an effective way to advocate, and grassroots groups have substantial influence on voting behavior (Bergan, 2009). Literature reviews have also shown that most research on lobbying techniques provides null or inconclusive findings. One review found that although lobbying is found to be ineffective in some instances, influence and support of the lobbyists has an important role in lobbying and can increase the changes of policy change (Lowery, 2013).

In order to advocate for the creation of the National Child Victims Act (NCVA), the campaign members would need to approach government officials at the federal level. The process to nationalize the NCVA will be a long process over many years, since it would need to be approved by the Legislative Branch and the Executive Branch of the United States government. The campaign members will target specific state representatives who are from states with statute of limitations amendments that are like the proposed NCVA to advocate for the policy in the Legislative Branch of the federal government. Once a senator has agreed to sponsor the policy, he/she would find co-sponsors for the bill and present the bill at the federal level. Having multiple co-sponsors for the policy from different states would help gain support for the policy and increase the chances of the policy being passed on the federal level.

To begin the process, the campaign leaders will need to draft a bill that will be advocated for in the Legislative Branch. Once the bill is drafted, the campaign leaders will need to find a

legislator who will be willing to sponsor the bill. First, the leaders will approach Senator Charles Schumer and Senator Kristen Gillibrand, who are the senior and junior senators of New York. Since the New York Child Victims Act was recently enacted and publicized, they would be the most likely candidates to sponsor the bill. Other legislators who would be approached to sponsor/co-sponsor the bill would be Senator Brian Schatz and Senator Mazie Hirono from Hawaii, and Senator Dianne Feinstein and Senator Kamala Harris from California. These two states have similar regulations and policies regarding child sexual abuse statutes of limitations, so these senators may also be more willing to sponsor/co-sponsor the bill.

The Learning Disabilities Association of America (LDA) outlines different activities that help advocate for legislative changes. It is noted that it is important to figure out who is in charge and get to know local office staff members for the senators and congressmen. The staff of these offices usually consists of an administrative aid who is designated as the leader by the congressmen/senators, secretarial staff, and possibly a local issues advocacy committee. It is important to be seen and noticed by the office staff, so attending conferences and gatherings with the staff will help to gain footing with the state Congress/Senate. It is also beneficial to serve on committees, keep the office staff notified of updates on the topic of interest, and schedule an appointment to meet one-on-one with the state Congressman or Senator when he/she is in his/her home district (Learning Disabilities Association fo America, 2013). Lobbying is another way to get attention for a specific policy, and it is important to know what dates the Federal Assembly meets in Washington, D.C. so that the campaign leaders and interest groups can be present to advocate for the policy. The campaign leaders would be unable to discuss the policy specifically with the Executive Branch but could still write letters to the President of the United States informing him/her of the policy and appealing for his/her executive vote. The Judicial Branch of

government would not need to vote on the policy but would be able to advocate for and enforce the policy once it is passed.

The state representatives will be key to positively educating their co-representatives in the Senate and House of Representatives. The representatives who are against a statute of limitations can be persuaded that there are positive reasons to place a statute of limitations up to a specific age, which is what the NCVA will implement. The negative ramifications could alienate representatives who are advocating for the policy. They may receive pressure from constituents and other organizations, such as the Catholic Church, Boy Scouts, and insurance companies, which could negatively impact sponsorships and support for the bill and cause a loss of their vote in favor of the policy. If arguments are made to persuade individual state representatives to be in favor of the NCVA, then it has a higher chance of being passed on the federal level.

Opposition could come from specific state representatives who come from states with different statutes of limitations from the proposed NCVA or state representatives who do not wish to have a nationalized child sexual abuse statute of limitations. State representatives as well as organizations such as the Boy Scouts, Catholic Church, and insurance companies may form other coalitions that advocate against the NCVA. The campaign approach to addressing the opposition will include education through the media campaign, particularly the social media aspect. Social media websites will provide trauma informed research and statistics that have been gathered and added to the fact sheet to approach the opposition. The statistics will be specific to child sexual abuse nationally that will be gathered from credible and reliable sources. Social media platforms will also include a list of each state's representatives and their contact information to urge the public to contact their representatives and advocate in favor of the bill.

Informing the general public of the issues faced with child sexual abuse statute of limitations and the arguments for a nationalized policy will expand the influence and number of individuals who can target their respective representatives.

Victims of child sexual abuse, family members, voters, and society members will target their representatives by contacting them via phone, written letters, email, and/or face-to-face meetings. The victims who are willing to give their testimony to spread awareness will do so through the social media platforms for the campaign as well as the #MeToo Movement. The #MeToo Movement will help provide resources to help raise awareness of the issue of child sexual abuse statutes of limitations by publicizing the testimonies that the victims share. Consumers will sign petitions and attend local meetings in support of the NCVA, as well as inform others in the community of the policy.

The campaign group will continue to monitor the progress of the policy through lobbyists and tracking the policy through Quorum, a legislative tracking software. The campaign members will check in with the policy sponsors/co-sponsors through phone conversations, email, written mail, and/or face-to-face meetings. Once the bill has been passed in the Senate and House of Representatives, it will be sent to the President who will either implement the bill as a law or veto the bill. Once the bill leaves the Legislative Branch, the campaign members will write to the President of the United States to urge him/her to approve the legislation. If the bill is passed in the Legislative and Executive Branches of the federal government, then it will become a law that will be upheld by all who reside in the United States.

### **Conclusion**

Child sexual abuse is a significant problem, and many times children have difficulty reporting sexual abuse crimes at the time they happen due to different emotional factors with trauma. As a result, many childhood sexual abuse crimes are not reported, which poses a problem for the victims, families, and society. States have diverse regulations and statutes of limitations regarding child sexual abuse, and this can lead to confusion and other issues for the victims.

The proposed National Child Victims Act (NCVA) would create a policy on the federal level to implement a national statute of limitations for child sexual abuse. The NCVA would allow victims to report child sexual abuse crimes until the age of 55 years old in order to seek felony indictment for the perpetrator. The victim would also have a 10-year discovery window after he/she has been discovered to have a psychological trauma related to the crime, to be able to file civil suits against the offender. The five-year revival period would allow victims to come forward who were previously unable to report their crimes due to the stricter statute of limitations in their individual states.

This proposed policy would help individuals take the time they need to process the traumatic sexual abuse encounter(s) against them as children and still be able to report the crime when they are ready. The hopes of the advocacy campaign are to spread awareness of the issue, and gain support for the NCVA in order to pass the legislation on a federal level. With the support of multiple coalitions, state representatives, and the general public, the policy will hopefully be enacted to provide justice for those who have aged out of society's concern.

**Advocacy Plan PowerPoint Presentation**

The following is a link to the researchers' PowerPoint presentation and audio recordings:

<https://1drv.ms/p/s!As9eV2fyhIfUhl-sah2OUpHrZgaS>

## References

- American Psychological Association, E. O. (2002). Reporting past abuse, part II: Experts weigh in on the ethical dilemma posed in the May Monitor. *33*(7). Retrieved from <https://www.apa.org/monitor/julaug02/ethics>
- Bergan, D. (2009). Does grassroots lobbying work?: A field experiment measuring the effects of an e-mail lobbying campaign on legislative behavior. *Sage Journals*, *37*(2), 327-352. Retrieved from <https://doi.org/10.1177/1532673X08326967>
- Bowen, G., Gordon, N., & Chojnacki, M. (2017). Advocacy through social media: Exploring student engagement in addressing social issues. *Journal of Higher Education Outreach and Engagement*, *21*(3), 5-27. Retrieved from <https://files.eric.ed.gov/fulltext/EJ1156183.pdf>
- Brandt, A. (2018). 9 steps to healing childhood trauma as an adult: The healthiest response to childhood emotional wounds is also the rarest. *Psychology Today*. Retrieved from <https://www.psychologytoday.com/us/blog/mindful-anger/201804/9-steps-healing-childhood-trauma-adult>
- Brown, E. (2017, March 24). Why we still need statutes of limitations for rape. *Reason*. Retrieved from <https://reason.com/2017/03/24/ending-rape-statutes-of-limitations/>
- Burke, M., & Sandman, L. (2017). The effectiveness of a parent legislative advocacy program. *Journal of Policy and Practice in Intellectual Disabilities*, *14*(2), 138-145.
- Center for Substance Abuse Treatment. (2014). Understanding the impact of trauma. In S. A. Administration, *Trauma-Informed Care in Behavioral Health Services*. Retrieved from <https://www.ncbi.nlm.nih.gov/books/NBK207191/>
- Chalmers, A., & Shotton, P. (2015). Changing the face of advocacy? Explaining interest organizations' use of social media strategies. *Political Communication*, *33*(3), 374-391.
- Child USA. (2019). *2019 Summary of child sexual abuse statutes of limitations (SOLs): Introduced, signed into law and state laws by category*. Retrieved from Child USA: <https://www.childusa.org/2019sol/#a>
- Commonwealth of Pennsylvania, O. (2014). *A Report of the Thirty-Seventh Statewide Investigating Grand Jury*. Retrieved from <https://www.scribd.com/document/301459233/Grand-jury-report-on-Altoona-Johnstown-Catholic-Diocese>
- Cook, A., Spinazzola, J., Ford, J., Lanktree, C., Blaustein, M., Cloitre, M., . . . van der Kolk, B. (2005). Complex trauma in children and adolescents. *Psychiatric Annals*, *35*(5), 390-398. Retrieved from <https://doi.org/10.3828/00485713-20050501-05>
- Diffen. (n.d.). *Democrat vs. Republican*. Retrieved from [https://www.diffen.com/difference/Democrat\\_vs\\_Republican](https://www.diffen.com/difference/Democrat_vs_Republican)
- Edwards, H. (2018). Statute of limitations laws can leave few choices for child sex-abuse victims: That's why these people are trying to change them. *Time*. Retrieved from <https://time.com/5394927/statute-of-limitations-changes/>

- Evans, L. (2017). Who would oppose the Child Victims Act? New York state republicans, boy scouts, and the Catholic church. *The Village Voice*. Retrieved from <https://www.villagevoice.com/2017/06/05/who-would-oppose-the-child-victims-act/>
- Everson, M., & Boat, B. (1989). False allegations of sexual abuse by children and adolescents. *Journal of the American Academy of Children and Adolescent Psychiatry*, 28(2), 230-235.
- Gallagher, M. (2014, April 2). *States of confusion: Workers comp extraterritorial issues*. Retrieved from Insurance Thought Leadership: <http://insurancethoughtleadership.com/states-of-confusion-workers-comp/>
- Glorioso, C., & Stulberger, E. (2018). I-team: Insurance industry help squash child sex abuse law in New York. *NBC 4 New York*. Retrieved from <https://www.nbcnewyork.com/news/local/Child-Victims-Act-Sex-Abuse-Law-Insurance-Industry-New-York-Albany-478315153.html>
- Hamilton, M. (2019, November 12). *Child sex abuse statutes of limitation reform from January 2002 to November 2019*. Retrieved from Child USA: <https://static1.squarespace.com/static/5a120b962aeba581dd692cd4/t/5dcb3640651993662d201b95/1573598792101/2019+SOL+Report+11.12.19+FINAL.pdf>
- Kaare, S., Chowdhury, N., & Kazi, V. (2007). *The Power of Evidence in Advocacy*. Retrieved from <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/251.pdf>
- Kwiatkowski, M., & Kelly, J. (2019). The Catholic Church and Boy Scouts are lobbying against child abuse statutes: This is thier playbook. *USA Today*. Retrieved from <https://www.usatoday.com/in-depth/news/investigations/2019/10/02/catholic-church-boy-scouts-fight-child-sex-abuse-statutes/2345778001/>
- Learning Disabilities Association fo America. (2013). *How to Advocate*. Retrieved from <https://ldaamerica.org/advocacy/how-to-advocate/>
- London, K., Bruck, M., & Ceci, S. (2005). Disclosure of child sexual abuse: What does the research tell us about the ways that children tell? *Psychological Publication, Policy, and Law*, 11, 94.
- London, K., Bruck, M., Ceci, S., & Shuman, D. (2003). Disclosure of child sexual abuse: What does the research tell us about the ways that children tell? *Psychology, Public Policy, and Law*, 11(1), 194-226.
- Lowery, D. (2013). Lobbying influence: Meaning, measurement and missing. *Interest Groups & Advocacy*, 2(1), 1-26. Retrieved from <https://doi.org/10.1057/iga.2012.20>
- Meyers, S. (2010). Sexual abuse: What to do, where to go from here? *Psychology Today*. Retrieved from <https://www.psychologytoday.com/us/blog/nsight-is-2020/201006/sexual-abuse-what-do-where-go-here>
- Morgan, R., & Oudekerk, B. (2019). *Criminal Victimization Report 2018*. Retrieved from [https://www.bjs.gov/content/pub/pdf/cv18\\_sum/pdf](https://www.bjs.gov/content/pub/pdf/cv18_sum/pdf)
- Mulkey, E. (2015). Confronting legal and technological incongruity: Remote testimony for child witnesses. *Vanderbilt Journal of Entertainment & Technology Law*, 17(2), 463-492.
- Murray, L., Nguyen, A., & Cohen, J. (2014). Child sexual abuse. *Child and Adolescent Psychiatric Clinics of North America*, 23(2), 321-337. doi:10.1016/j.chc.2014.01.003

- Myers, J. (2009). *A Short History of Child Protection in America*. Retrieved from [https://www.americanbar.org/content/dam/aba/publishing/insights\\_law\\_society/ChildProtectionHistory.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publishing/insights_law_society/ChildProtectionHistory.authcheckdam.pdf)
- National Alliance to End Sexual Violence. (n.d.). *Sexual Assault Guide: An Advocate's Guide to Sexual Assault Policy. 1*. Retrieved from [www.ncdsv.org/images/NAESV\\_Sexual\\_Assault\\_Advocacy\\_Guide.pdf](http://www.ncdsv.org/images/NAESV_Sexual_Assault_Advocacy_Guide.pdf)
- National Center for Victims of Crime. (2011). *Child Sexual Abuse Statistics*. Retrieved from <https://victimsofcrime.org/media/reporting-on-child-sexual-abuse/child-sexual-abuse-statistics>
- Nelson, D., & Yackee, S. (2012). Lobbying coalitions and government policy change: An analysis of federal agency rulemaking. *The Journal of Politics*, 74(2), 339-353.
- Ochoa, T., & Wistrich, A. (1997). The puzzling purposes of statutes of limitation. *Pacific Law Journal*, 28, 453-514. Retrieved from <https://digitalcommons.law.scu.edu/cgi/viewcontent.cgi?article=1107&context=facpubs>
- O'Connor, M., & Netting, F. (2011). Nonrational Policy Analysis. In *Analyzing Social Policy*. Retrieved from [https://eclass.e.southern.edu/pluginfile.php/1053609/mod\\_resource/content/0/Nonrational%20Policy%20Analysis.pdf](https://eclass.e.southern.edu/pluginfile.php/1053609/mod_resource/content/0/Nonrational%20Policy%20Analysis.pdf)
- Priebe, G., & Svedin, C. (2008). Child sexual abuse is largely hidden from the adult society: An epidemiological study of adolescents' disclosures. *Child Abuse & Neglect*, 32, 1095-1108. Retrieved from [www.brown.uk.com/childabuse/priebe.pdf](http://www.brown.uk.com/childabuse/priebe.pdf)
- RAINN. (2019). *Children and teens: Statistics*. Retrieved from <https://www.rainn.org/statistics/children-and-teens>
- Rosen, B. (2010). *Sexual abuse and sexual exploitation of Victorian children [web log comment]*. Retrieved from Victorian History: An Idiosyncratic Selection of Short Bits About Elements of Victorian History: <https://vichist.blogspot.com/2010/10/sexual-abuse-and-sexual-exploitation-in.html>
- Sprober, N., Schneider, T., Rassenhofer, M., Seitz, A., Liebhardt, H., König, L., & Fegert, J. (2014). Child sexual abuse in religiously affiliated and secular institutions: A retrospective descriptive analysis of data provided by victims in a government-sponsored reappraisal program in Germany. *BMC Public Health*, 14, 282. doi:10.1186/1471-2458-14-282
- U.S. Department of Health and Human Services. (2014). *The Child Abuse Prevention and Treatment Act: 40 Years of Safeguarding America's Children*. Retrieved from [https://www.acf.hhs.gov/site/default/files/cb/capta\\_40yrs.pdf](https://www.acf.hhs.gov/site/default/files/cb/capta_40yrs.pdf)
- U.S. Department of Health and Human Services, A. o. (2019). *Child Maltreatment Report 2017*. Retrieved from <https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/child-maltreatment>
- World Health Organization. (2003). Child sexual abuse. *Guidelines for Medico-Legal Care for Victims of Sexual Violence*, 75-77. Retrieved from [https://www.who.int/violence\\_injury\\_prevention/resources/publications/en/guidelines\\_chap7.pdf](https://www.who.int/violence_injury_prevention/resources/publications/en/guidelines_chap7.pdf)

Yuan, N., Koss, M., & Stone, M. (2006). *The psychological consequences of sexual trauma*. Retrieved from National Online Resource Center on Violence Against Women: [https://vawnet.org/sites/default/files/materials/files/2016-09/AR\\_PsychConsequences.pdf](https://vawnet.org/sites/default/files/materials/files/2016-09/AR_PsychConsequences.pdf)

Zinzow, H., Resnick, H., McCauley, J., Amstadter, A., Ruggiero, K., & Kilpatrick, D. (2012). Prevalence and risk of psychiatric disorders as a function of variant rape histories: Results from a national survey of women. *Social Psychiatry and Psychiatric Epidemiology*, 47(6), 893-902. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4096823/>

Appendix A

# National Child Victims Act

## Fact Sheet

### CHILD SEXUAL ASSAULT STATISTICS

- IN THE UNITED STATES, OVER 56,416 CHILDREN WERE VICTIMS OF SEXUAL ABUSE IN 2017
- 20% OF ADULT FEMALES AND 5-10% OF ADULT MALES RECALL CHILDHOOD SEXUAL ABUSE INCIDENTS
- VICTIMS OF CHILD SEXUAL ABUSE ARE 4XS MORE LIKELY TO DEVELOP DRUG ABUSE AND/OR PTSD AND 3XS MORE LIKELY TO HAVE MAJOR DEPRESSION AS AN ADULT
- 12.9 OUT OF 1,000 VICTIMS OVER THE AGE OF 12 YEARS OLD IN 2018 DID NOT DISCLOSE THEIR SEXUAL ABUSE TO AUTHORITIES

Morgan, R.E. & Oudekerk, B.A. (2019). *Criminal Victimization Report 2018*. [https://www.bjs.gov/content/pub/pdf/cv18\\_sum/pdf](https://www.bjs.gov/content/pub/pdf/cv18_sum/pdf)

National Center for Victims of Crime (2011). *Child Sexual Abuse Statistics*. <https://victimsofcrime.org/media/reporting-on-child-sexual-abuse/child-sexual-abuse-statistics>

U.S. Department of Health and Human Services (2019). *Child Maltreatment Report 2017*. <https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/child-maltreatment>

Zinzow, H.M., Resnick, H.S., McCauley, J.L., Amstadter, A.B., Ruggiero, K.J., & Kilpatrick, D.G. (2012). Prevalence and risks of psychiatric disorders as a function of variate rape histories: Results from a national survey of women. *Social Psychiatry and Psychiatric Epidemiology*, 47(6), 893-902. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4096823/>

#### What is child sexual assault?

Sexual assault refers to any sexual contact with a child or teen and can include:

- Touching of inappropriate areas
- Penetration
- Showing a child nude pictures or pornography

These acts can lead to loneliness, depression, guilt, anxiety, and self-esteem issues in the child over time.

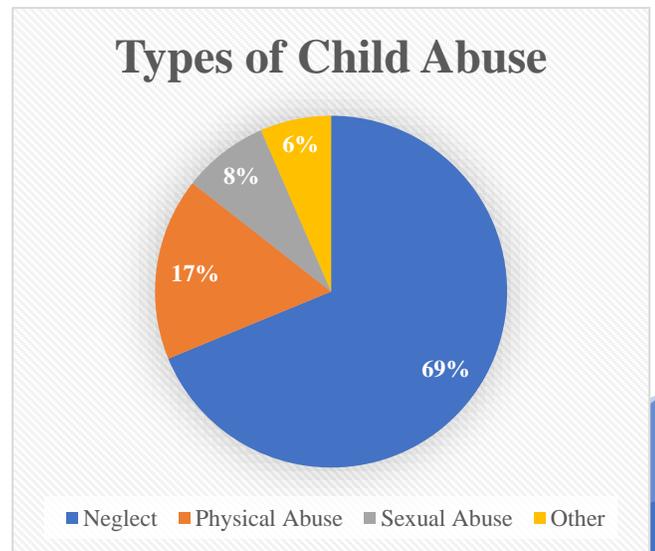
National Center for Victims of Crime (2011). *Bulletins for Teen: Child Sexual Abuse*. <https://victimsofcrime.org/help-for-crime-victims/get-help-bulletins-for-crime-victims/bulletins-for-teens/child-sexual-abuse>

### What is the National Child Victims Act?

The National Child Victims Act is proposed legislation to create federal guidelines regarding the statute of limitations for child sexual abuse. The law would have 3 parts:

- Allow victims of child sexual abuse to report the crime until the age of 55 years old in order to seek felony indictment for the perpetrator.
- Allow victims of child sexual abuse up to 10 years, during any time in their lives after they have been discovered to have a psychological trauma related to the crime, to be able to file civil suits against their offender
- Provide a five-year “revival” period after the law is passed where victims can file civil lawsuits or seek felony indictment against their abusers, if they were previously unable to do so

### Types of Child Abuse



American Society for the Positive Care of Children (2018). *Child Maltreatment Statistics in the U.S.* <https://americanspcc.org/child-abuse-statistics/>

## Appendix B

# POLICY BRIEF

The Need for a National Child Victims Act (NCVA):  
Standardizing statute of limitations for child sexual abuse

Fall 2019

### Introduction

Child sexual abuse is a very significant concern for individuals of all ages. In the United States of America, over 674,000 children were victims of maltreatment, and 56,416 of those children were victims of sexual abuse in 2017. In addition, an estimated 1,720 children died of abuse and neglect during that time period.<sup>i</sup> Child sexual abuse can have lasting effects physically, mentally, and emotionally on the child as he/she ages into adulthood. Victims of child sexual abuse are four times more likely to develop symptoms of drug abuse and/or experience post-traumatic stress disorder (PTSD), and are three times more likely to have a major depressive episode as an adult.<sup>ii</sup> Prolonged child sexual abuse is also linked to “delinquency, drug use, and other problem behaviors” in the victims throughout adulthood.<sup>iii</sup>

For many victims, the psychological symptoms of the abuse may not manifest until later in their lives, and they may have difficulty processing the abuse. Thus, a large amount of child sexual abuse victims may not be capable of or ready to report the abuse until adulthood.<sup>iv</sup> Although it is important to report crimes regardless of when it happened, 12.9 out of 1,000 victims over the age of 12 years old in 2018 did not report the crime to authorities.<sup>v</sup> Perpetrators of sexual assault and rape have higher recidivism rates, and are more likely to repeat their crimes.<sup>vi</sup> When sexual crimes are not reported, the offenders tend to repeat the crime leading to irrevocable damage to their victims. Multiple state policies exist regarding the statute of limitations for reporting child sexual abuse, but each state has different requirements and limitations. The National Child Victims Act (NCVA) would create a federal policy that would allow victims of child sexual abuse to report the crimes against them later in life.

### Statute of Limitations

Currently, there is no federal statute of limitations (SOLs) regarding child sexual abuse, and the policies vary significantly among each state. Out of the 50 states, 46 of them lack a statute of limitations for criminal charges, if enough evidence is provided, and 10 states do not have any statute of limitations for civil charges.<sup>vii</sup>

In 2019, 23 states and Washington D.C. have amended their SOLs, and many still have bills pending to revisit the issue in 2020. The states with the broadest statute of limitation for child sexual abuse are Delaware and Vermont, and the states

### Summary

Child sexual abuse is a traumatic event that can take years to overcome, yet many individuals are not able to report the crimes against them once they have been able to process the trauma later in life. Each state has specific policies and guidelines regarding the statute of limitations for reporting sexual abuse, which can lead to confusion. The Need for a National Child Victims Act (NCVA) would seek to create a federal policy that is the same for all states and allows all individuals who have been harmed by child sexual abuse to achieve justice for the crimes committed against them.

with the narrowest statute of limitations for child sexual abuse are Ohio and Pennsylvania<sup>vii</sup>. It has been shown that it is important to have some statute of limitations in order to protect the innocent and avoid unnecessary conflict that may arise if there is no limitation in place. The purposes of having a statute of limitations include decreasing the likelihood of deterioration of evidence, providing equal ground for the defendants and plaintiffs, and reducing the volume of claims filed.

## Recommendations

The proposed National Child Victims Act (NCVA) would create a federal policy regarding statute of limitations for reporting child sexual abuse. It would allow victims to report the child sexual abuse crimes until the age of 52 years old in order to seek felony indictment for the perpetrator. The victim would also have up to 10 years, during any time in his/her life after he/she has been discovered to have a psychological trauma related to the crime, to be able to file civil suits against the offender. The statute of limitations was chosen based on social work values and psychological principles and theories of trauma, as well as research on the average age of reporting and benefits and risks of different state policies.

The proposed NCVA would allow victims of child sexual abuse to process their emotions at any time in their lives and move on by obtaining closure. It would incorporate multiple state policies to provide a federal policy that would be the same for every state, which would help decrease confusion during the event where reporting the crime was necessary. We recommend a federal statute of limitations for child sexual abuse victims to achieve justice and closure for those who have experienced childhood sexual trauma, to allow healing and decrease recidivism.

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<sup>i</sup> U.S. Department of Health & Human Services (2019). *Child Maltreatment Report 2017*.

<https://www.acf.hhs.gov/sites/default/files/cb/cm2017.pdf>

<sup>ii</sup> Zinzow, H.M., Resnick, H.S., McCauley, J.L., Amstadter, A.B., Ruggiero, K.J., & Kilpatrick, D.G. (2012). Prevalence and risk of psychiatric disorders as a function of variante rape histories: Results from a national survey of women. *Social Psychiatry and Psychiatric Epidemiology*, 47(6), 893-902.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4096823/>

<sup>iii</sup> U.S. Department of Health & Human Services (2019). *Child Maltreatment Report 2017*.

<https://www.acf.hhs.gov/sites/default/files/cb/cm2017.pdf>

<sup>iv</sup> American Psychological Association Ethics Office (2002). Reporting past abuse, part II: Experts weigh in on the ethical dilemma posed in the May Monitor. *Ethic Rounds*, 33(7). <https://www.apa.org/monitor/julaug02/ethics>

<sup>v</sup> Morgan, R.E. & Oudekerk, B.A. (2019) *Criminal Victimization Report 2018*.

[https://www.bjs.gov/content/pub/pdf/cv18\\_sum/pdf](https://www.bjs.gov/content/pub/pdf/cv18_sum/pdf)

<sup>vi</sup> Alper M. & Durose, M.R. (2019). Recidivism of sex offenders released from state prison: A 9-year follow up of 2005-14. [https://www.bjs.gov/content/pub/pdf/rsorsp9yfu0514\\_sum.pdf](https://www.bjs.gov/content/pub/pdf/rsorsp9yfu0514_sum.pdf)

<sup>vii</sup> Child USA (2019). 2019 summary of child sexual abuse statutes of limitations (SOLs): Introduced, signed into law and state laws by category. <https://www.childusa.org/2019sol/#a>

Appendix C

