

TO: Honorable Members of the Senate Higher Education Committee

FROM: Marci Hamilton, Founder & CEO, CHILD USA; Professor, University of Pennsylvania, and Kathryn Robb, Executive Director, CHILD USA Advocacy

RE: SF4003 – Strengthening higher education policies and providing further protection for victim-survivors of sexual misconduct

DATE: March 20, 2024

Dear Honorable Members of the Senate Higher Education Committee,

Thank you for allowing us to submit testimony in support of SF4003, which will strengthen protection for victim-survivors of sexual misconduct by creating and clarifying higher education policies. This legislation will greatly reduce the present danger to children and young adults in Minnesota by exposing hidden predators.

By way of introduction, Professor Marci Hamilton is a First Amendment constitutional scholar at the University of Pennsylvania who has led the national movement to reform statutes of limitations to reflect the science of delayed disclosure of childhood sexual abuse and who founded CHILD USA, a national nonprofit think tank devoted to ending child abuse and neglect. Kathryn Robb is the Executive Director of CHILD USA Advocacy, an advocacy organization dedicated to protecting children’s civil liberties and keeping children safe from abuse and neglect. Kathryn is also an outspoken survivor of child sex abuse.

I. Research on Trauma and Delayed Disclosure Supports Reform for Sexual Abuse

A. There is a Nationwide Epidemic of Sexual Abuse Causing Lifelong Damage to Victim-Survivors

Currently, more than 10% of children are sexually abused, with at least one in five girls and one in thirteen boys sexually abused before they turn 18.¹ Sexual abuse is a social problem that occurs in all social groups and institutions, including familial, religious, educational, medical, and athletic.

The trauma stemming from sexual abuse is complex and individualized, and it impacts victims throughout their lifetimes:²

- CSA victims suffer an **increased risk of suicide**—in one study, female CSA survivors were two to four times more likely to attempt suicide, and male CSA survivors were four to 11 times more likely to attempt suicide.³
- CSA leads to an increased risk of **negative outcomes across the lifespan**, such as alcohol problems, illicit drug use, depression, marriage issues, and family problems.⁴



II. Sexual Reform Serves the Public Good by Giving Victim-Survivors Access to Justice and Preventing Future Abuse

Historically, a wall of ignorance and secrecy has been constructed around sexual abuse, which has been reinforced by restrictive procedural rules that kept victims out of the legal system. Lack of access to justice plays into the hands of the perpetrators and the institutions that cover up for them; they disable victims' voices and empowerment and leave future children vulnerable to preventable abuse.

A. Sexual Abuse Reform Identifies Hidden Child Predators Within Institutions that Endanger Children

It is in society's best interest to have sex abuse survivors identify hidden predators to the public—whenever the survivor is ready. The decades before public disclosure give perpetrators and institutions wide latitude to suppress the truth to the detriment of children, parents, and the public. Some predators abuse a high number of victims and continue abusing children well into their elderly years. For example, one study found that 7% of offenders sampled committed offenses against 41 to 450 children, and the highest time between offense to conviction was 36 years.⁵ Sexual abuse reform helps protect Minnesota's young adults by identifying sexual predators in our midst. By expanding the path to justice for victim-survivors, hidden predators are brought into the light and are prevented from further abusing more children in Minnesota.

B. Sexual Abuse Reform Prevents Further Abuse

Sexual abuse reform also educates the public about the dangers of abuse and how to prevent it. When predators and institutions are exposed, particularly high-profile ones like Larry Nassar, Jeffrey Epstein, the Boy Scouts of America, and the Catholic Church, the media publish investigations and documentaries that enlighten the public about the insidious ways child molesters operate to sexually assault children and the institutional failures that enabled their abuse.⁶ By shedding light on the problem, institutions are better able to identify abusers while the public is empowered to recognize grooming and abusive behavior. Indeed, sexual abuse publicity creates more social awareness to help keep young adults safe.

III. Conclusion

Once again, we commend you for supporting this legislation, which is desperately needed to validate victim-survivors and protect Minnesota young adults from preventable abuse. For more information about child abuse reform, visit childusa.org/sol/ or email info@childusa.org. Please do not hesitate to contact us if you have questions regarding SOL reform or if we can be of assistance in any way on other child protection issues.

Sincerely,



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¹ G. Moody, et. al., *Establishing the international prevalence of self-reported child maltreatment: a systematic review by maltreatment type and gender*, 18(1164) BMC PUBLIC HEALTH (2018) (finding a 20.4% prevalence rate of CSA among North American girls); M. Stoltenborgh, et. al., *A Global Perspective on Child Sexual Abuse: Meta-Analysis of Prevalence Around the World*, 16(2) CHILD MALTREATMENT 79 (2011) (finding a 20.1% prevalence rate of CSA among North American girls); N. Pereda, et. al., *The prevalence of child sexual abuse in community and student samples: A meta-analysis*, 29 CLINICAL PSYCH. REV. 328, 334 (2009) (finding a 7.5% and 25.3% prevalence rate of CSA among North American boys and girls respectively).

² B. A. van der Kolk, *The Body Keeps the Score: Memory & the Evolving Psychobiology of Posttraumatic Stress*, 1(5) HARVARD REV. OF PSYCHIATRY 253-65 (1994); see also Hoskell, L. & Randall, M., *The Impact of Trauma on Adult Sexual Assault Victims*, JUSTICE CANADA (2019), https://www.justice.gc.ca/eng/rp-pr/jr/trauma/trauma_eng.pdf.

³ Beth E. Molnar et al., *Psychopathology, Childhood Sexual Abuse and other Childhood Adversities: Relative Links to Subsequent Suicidal Behaviour in the US*, 31 PSYCHOL. MED. 965 (2001).

⁴ Shanta R. Dube et al., *Long-Term Consequences of Childhood Sexual Abuse by Gender of Victim*, 28 AM. J. PREV. MED. 430, 434 (2005).

⁵ Michelle Elliott et al., *Child Sexual Abuse Prevention: What Offenders Tell Us*, 19 CHILD ABUSE NEGL. 579 (1995).

⁶ E.g., Netflix's *Jeffrey Epstein: Filthy Rich*; HBO's *At the Heart of Gold: Inside the USA Gymnastics Scandal*.