

ELIMINATING LIMITS TO JUSTICE FOR CHILD SEX ABUSE VICTIMS ACT OF 2021 (S. 3103)

Passing in the Senate by unanimous consent in March 2022, and then the House of Representatives in September 2022, Majority Whip Dick Durbin (D-IL) and Senator Marsha Blackburn (R-TN) introduced bipartisan legislation that would eliminate the statute of limitations under 18 U.S.C. § 2255 for child sex abuse claims, ensuring survivors are able to seek justice under federal statute without being barred by the statute of limitations.

THE PROBLEM

Statutes of limitations (SOLs) set the deadline for pressing criminal charges or filing a civil lawsuit for child sex abuse, and it often unfairly blocks victims from court.

There is a worldwide epidemic of child sex abuse, with at least **1 in 5 girls and 1 in 13 boys** sexually assaulted before they turn 18. Perpetrators and the institutions that protect them benefit from short SOLs, and until recently, most states dismissed nearly all cases. The majority of victims miss the deadline for obtaining justice because the trauma affects victims in a way that causes them to delay disclosure of their abuse until many years later. In a study of survivors of abuse in Boy Scouts of America, **51% of survivors disclosed their abuse for the first time at age 50 or older.**

THE SOLUTION

SOL reform is the key to attaining justice for survivors and preventing future abuse.

The Eliminating Limits to Justice for Child Sex Abuse Victims Act of 2021 would enable survivors who were victims of over a dozen federal child sex abuse offenses (including the sex trafficking of children, sexual abuse of a minor, and the sexual exploitation of children) to seek civil damages in federal court no matter how long it has taken the survivor to process and disclose the abuse he or she suffered.

SOL reform is crucial in identifying hidden child predators and the institutions that allowed the abuse to the public so children will not be abused in the future. It also shifts the cost of abuse from the victims and society to those that caused it and educates the public about the prevalence and harm from child sex abuse to prevent future abuse.

In recent years, many states have expanded opportunities for victims to access justice by lengthening SOLs. Since 2002, 48 states and the District of Columbia have amended their child sex abuse laws to expand or eliminate SOLs in varying degrees. **The time has also come for change at the federal level.** Although Congress lengthened the SOL in 2018 for federal civil child sex abuse claims until the victim reached age 28 or until 10 years from the discovery of the violation or injury, this SOL still does not reflect the current state of research on delayed disclosure.

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