

FACT SHEET

Window Legislation for Child Sex Abuse Statutes of Limitations

1 in 4 girls and 1 in 6 boys will be sexually abused

Child molesters on average will abuse **at least 150 children**

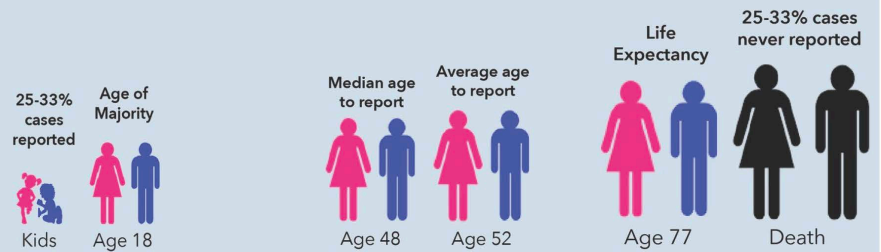
Child sexual abuse **costs the federal government over \$9 billion each year**

THE TRAUMA OF SEX ABUSE

often leads to depression, PTSD, alcohol and opioid abuse, and many physical ailments, frequently delaying disclosure. The average age for disclosure is 52 years-old.

DELAYED DISCLOSURE

Most child victims of sexual assault disclose, if they disclose at all, during adulthood, with a median age of 48 and an average age of 52.

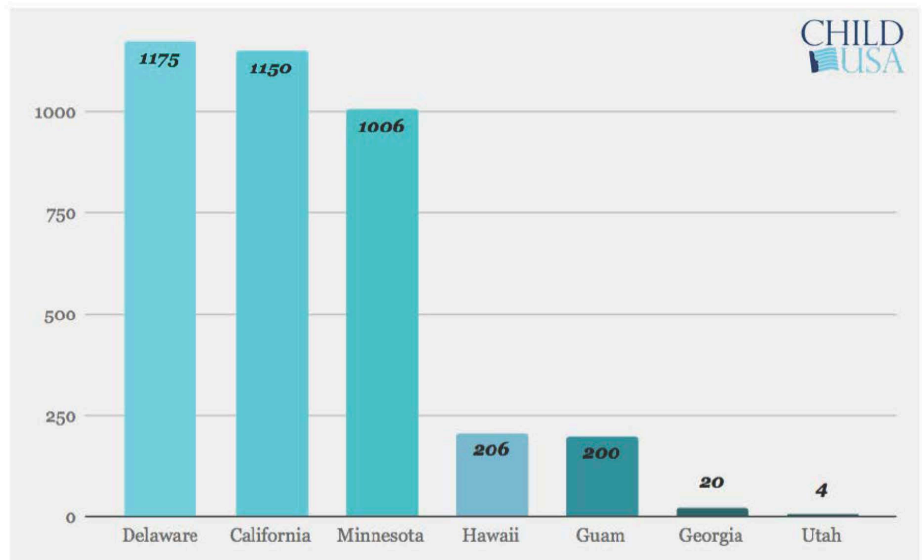


WHAT TO DO ABOUT CHILD SEX ABUSE VICTIMS WHOSE CLAIMS HAVE EXPIRED?

Short statutes of limitations (SOLs) for child sex abuse have kept victims from pressing charges and filing lawsuits. For the many who have been excluded from the legal system, there is only one solution: revive the expired civil SOLs. (It is unconstitutional to revive expired criminal SOLs). A state law reviving expired civil SOLs for a set time is called a revival window or a “window” to justice.

WINDOWS TO JUSTICE SERVE THREE GOALS

- (1) **Identify hidden child predators**
- (2) **Shift the cost of abuse** from the victims to the ones who caused it
- (3) **Educate the public** and prevent future abuse



The following states and Guam have enacted strong window legislation: CA, DE, HI, MN, NY

Window legislation has not resulted in an avalanche of cases or false claims. No state that enacted a window has had a case that involved false claims in the courts.





THE THINK TANK FOR CHILD PROTECTION

OUR MISSION

CHILD USA is a 501(c)(3) nonprofit think tank based at the University of Pennsylvania that conducts evidence-based legal, medical, and social science research to identify laws and policies affecting child protection. With these facts, CHILD USA shines a light on the better pathways to truly protect kids from abuse and prevent neglect.

WHAT WE DO

Sexual abuse and the maltreatment of children frequently impact children's health. These acts often occur in secret, behind closed doors, but have public consequences. Victims, their families, and the public pay a high price even decades after the violence ends. CHILD USA cuts through the shame and the secrecy to gather and analyze the data behind abuse and neglect.

As an organization dedicated to protecting kids and preventing abuse, CHILD USA conducts legal and social science research, compiles evidence, promotes ideas, and proposes the most effective policies to prevent childhood abuse and neglect. CHILD USA draws on the combined expertise of the nation's leading medical and legal academics to reach evidence-based solutions to persistent and widespread child abuse and neglect. All child victims deserve justice, and CHILD USA aims to find the path for them.

PROF. MARCI HAMILTON

Founder, CEO, & Academic Director

MARCI A. HAMILTON is the Robert A. Fox Leadership Program Professor of Practice at the University of Pennsylvania. She is also the founder, CEO, and Academic Director of CHILD USA, www.childusa.org, a 501(c)(3) nonprofit academic think tank at the University of Pennsylvania dedicated to interdisciplinary, evidence-based research to stop child abuse and neglect. Hamilton is a graduate of the University of Pennsylvania Law School, where she served as Editor-in-Chief of the University of Pennsylvania Law Review. She clerked for Judge Edward R. Becker of the United States Court of Appeals for the Third Circuit and Justice Sandra Day O'Connor of the United States Supreme Court.

Hamilton is the leading expert on child sex abuse statutes of limitations and has submitted testimony, expert information, and advice to legislators in every state where significant reform has occurred. She is the author of *Justice Denied: What America Must Do to Protect Its Children* (Cambridge University Press), which advocates for the elimination of child sex abuse statutes of limitations. She has filed countless pro bono amicus briefs for the protection of children at the United States Supreme Court and the state supreme courts. Her 2017 textbook, *Children and the Law*, was co-authored with Prof. Martin Gardner.

www.childusa.org

