



TO: Senator Steven Bradford, Chair, and Honorable Members of the Senate Public Safety Committee

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

RE: AB 2274: An act to amend Section 801.6 of, and to add Section 801.8 to, the Penal Code, relating to mandated reporters

DATE: May 31, 2022

Dear Senator Steven Bradford, Chair, and Honorable Members of the Senate Public Safety Committee:

Thank you for allowing us to submit testimony in support of AB 2274, which will protect California’s children by discouraging mandated reporters from disregarding suspected instances of abuse and by creating stronger incentives for those reporters to expose known and suspected abuse. **We urge you to vote in favor of this legislation.**

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 (“SOLs”) to reflect the science of delayed disclosure of childhood sexual abuse (“CSA”) 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.

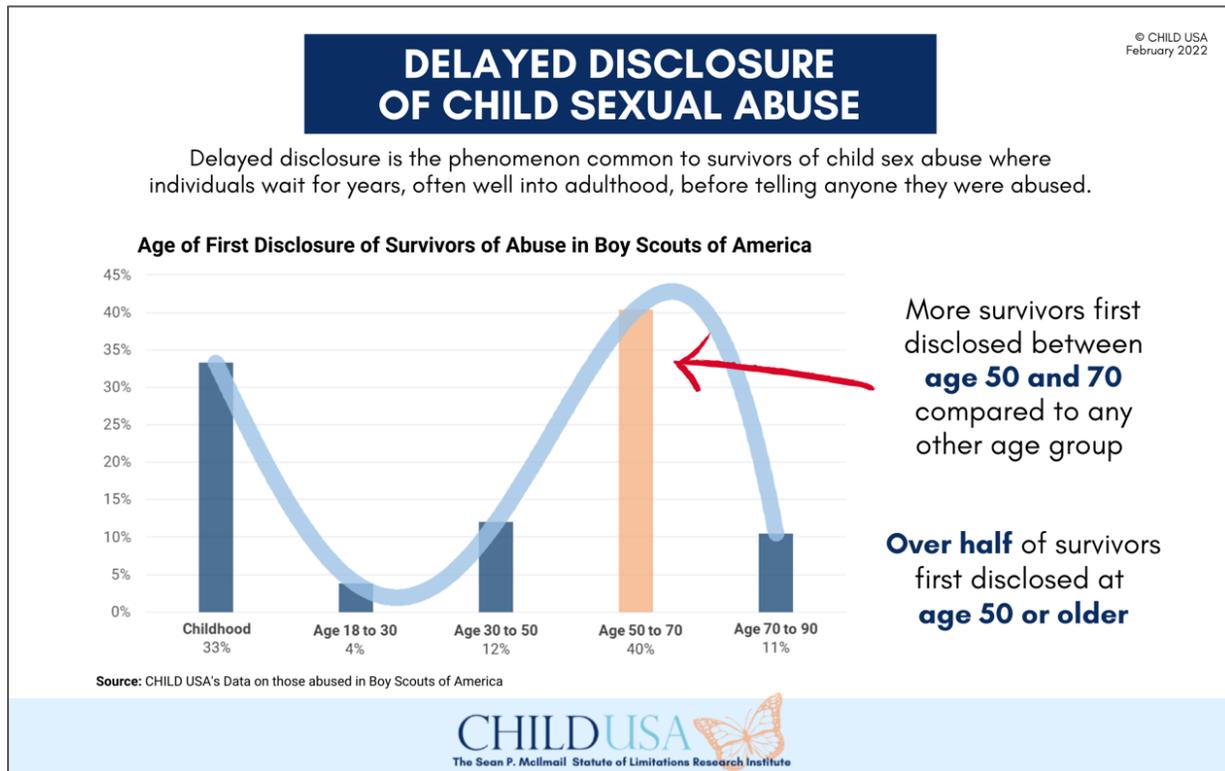
I. Research on Trauma and Delayed Disclosure Supports Reform for Mandated Reporting Laws

There is a nationwide epidemic of CSA causing lifelong damage to victims. 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 eighteen. CSA is a social problem that occurs in all social groups and institutions, including familial, religious, educational, medical, and athletic. Nearly 90% of CSA perpetrators are someone the child knows; in fact, roughly one third of CSA offenses are committed by family members. The trauma stemming from CSA is complex and individualized, and it impacts victims throughout their lifetimes.

Many victims of CSA suffer in silence for decades before they talk to anyone about their traumatic experiences. As children, CSA victims often fear the negative repercussions of disclosure, such as disruptions in family stability, loss of relationships, or involvement with the authorities. CSA survivors may also struggle to disclose because of trauma and psychological barriers such as shame and self-blame, as well as social factors like gender-based stereotypes or the stigma surrounding



victimization. Further, many injuries resulting from CSA do not manifest until survivors are well into adulthood and coincide with difficulties in functioning and a further delay in disclosure of abuse.



Moreover, disclosure of CSA to the authorities for criminal prosecution or an attorney in pursuit of civil justice is a difficult and emotionally complex process, which involves the survivor knowing that he or she was abused, being willing to identify publicly as an abuse survivor, and deciding to act against their abuser. In light of these barriers to disclosure, it is not surprising that 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**. **One-third of CSA survivors never report** their abuse to anyone.

For both children and adults, disclosure of CSA trauma is a process and not a discrete event in which a victim comes to terms with their abuse. Therefore, victims of abuse should not shoulder the responsibility to report their abuse, and they should not be penalized for failing to do so. By using legislation to incentivize mandated reporters to report both known and suspected instances of abuse, California recognizes and prioritizes the unique needs of victims who cannot come forward themselves.

II. Conclusion

Once again, we commend you for supporting this legislation, which is one more step to protect California's children from preventable sexual abuse. For more information about statute of limitations reform, visit childusa.org/sol/ or email info@childusa.org. Please do not hesitate to contact us if you have questions or if we can be of assistance in any way on other child protection issues.

Sincerely,



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