



# NY CHILD VICTIMS ACT: Research Findings on the Victims Who Filed

---

Research conducted by

CHILD USA 

**TABLE OF CONTENTS**

Introduction	<b>1</b>
Methods	<b>2</b>
Results	<b>3</b>
Demographics	<b>3</b>
Abuse characteristics	<b>4</b>
Disclosure of abuse	<b>5</b>
Motivations and legal opportunities	<b>6</b>
Discussion	<b>7</b>
Conclusion	<b>9</b>
Citations	<b>10</b>

# ACKNOWLEDGEMENTS



## **Research Team:**

Andrew Ortiz  
Annelies Smilde

## **Survey Distribution**

Andrew Ortiz

## **Data Analysis and Visualization**

Annelies Smilde  
Alicia (Chen) Wang

## **Report Design**

Annelies Smilde  
Lauren Nace

Published August 2024 by CHILD USA  
© Copyright 2024 CHILD USA

All rights reserved. No part of this report may be reproduced in any form by any electronic or mechanical means (including photocopying, recording, or information storage and retrieval) without permission in writing from CHILD USA.

3508 Market St, Suite 202  
Philadelphia, PA 19104  
[www.childusa.org](http://www.childusa.org)

For more information, contact us at  
[info@childusa.org](mailto:info@childusa.org)



## **Suggested Citation**

CHILD USA. (2024). NY Child Victims Act:  
Research Findings on the Victims Who  
Filed.

# INTRODUCTION

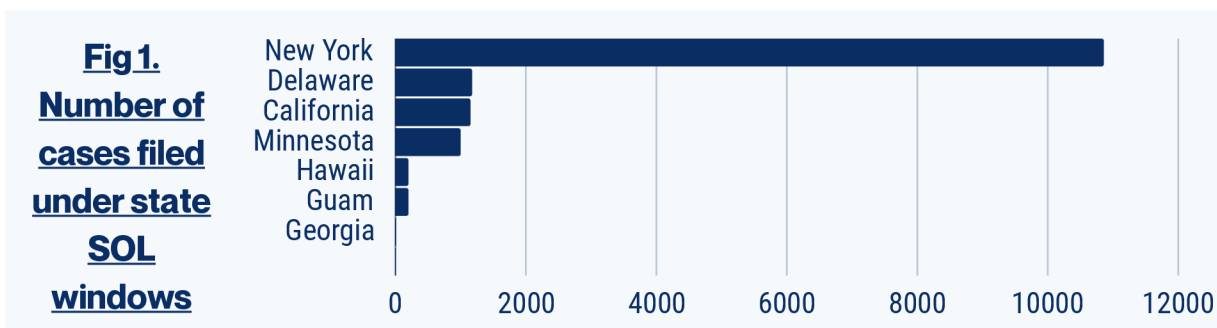
Over the last two decades, the statute of limitations (SOL) reform movement has been a critical component of efforts to address the challenges faced by victims of child sexual abuse (CSA). SOLs are legal deadlines that restrict the timeframe within which a victim can file a lawsuit or criminal charges against an abuser. However, due to the nature of CSA and its long-term effects on victims, many survivors often take years or even decades to come to terms with their abuse and seek legal action. As a result, SOL reform advocates have pushed for changes to these laws to provide victims with more time to pursue justice.

One significant reform has been the introduction of revival windows in SOL reform legislation. A revival window, also known as a “look-back window,” is a specified period during which victims whose claims were previously time-barred by the existing SOLs can file lawsuits. These windows are crucial, as they allow victims, who may have only recently recognized the abuse they suffered, to seek legal recourse and hold their abusers accountable. Additionally, revival windows serve to educate the public about the prevalence and impact of CSA, shift the financial burden of abuse from victims and taxpayers to the perpetrators, and help identify hidden predators and institutions that endanger children.

In New York State, the Child Victims Act (CVA) was signed into law in 2019, giving CSA victims a renewed opportunity to pursue legal action. With a total of 10,857 cases filed under the CVA, New York became the state with the highest number of cases filed under a revival window (see Figure 1). This unprecedented number of filings presented an opportunity for CHILD USA to gain deeper insights into the experiences of CSA victims and the impact of revival windows on access to justice.

Senator Brad Hoylman and Assemblymember Linda B. Rosenthal were key sponsors of the CVA, demonstrating their commitment to supporting victims of child sexual abuse and advancing SOL reform efforts. Their continued efforts, including sponsoring legislation to extend the CVA’s revival window, highlight the ongoing importance of SOL reform in ensuring that victims of CSA can seek justice and hold perpetrators accountable.

This report is designed to better understand the experiences of CSA victims who filed under the CVA. It will assist professionals within the legal system in meeting the needs of survivors. Due to the limited sample size, this survey is not intended to be representative but rather to lay the groundwork for future research.





# METHODS

## Survey Design and Administration

CHILD USA distributed an online survey using Qualtrics, focusing on demographics and disclosure characteristics related to childhood sexual abuse (CSA). Our researchers designed the survey questions based on existing literature on delayed disclosure of CSA, ensuring relevance and sensitivity to the experiences of participants.

## Ethical Considerations

Researchers at CHILD USA obtained approval from the University of Pennsylvania Institutional Review Board to conduct the study.

Respondents were assured of the anonymity of their responses. Additionally, participants were provided with information about where to seek help if they experienced emotional distress due to their participation in the survey, prioritizing their well-being.

## Data Analysis

This survey relied on participants recalling their own experiences, including specific ages where they were asked for their best estimate. Statistical analyses and visualizations were performed using Google Colab and RStudio. The conclusions and results presented here are meant to provide insights into the experiences of those who filed under the NY revival window and are not necessarily representative of the overall population.

## Participant Recruitment

The survey was distributed through attorneys representing plaintiffs who filed under the Child Victims Act (CVA) window in New York State. This targeted approach ensured that respondents were directly affected by the issues under study.

## Sample Size and Exclusions

A total of 44 individuals responded to the survey. Respondents who did not file under the CVA window were excluded from the analysis to ensure the relevance and integrity of the findings.

## Limitations

It is important to note that due to the limited sample size, the results should not be interpreted as generalizable to the broader population of CSA survivors. Participants were asked to recall past experiences, which might result in recall bias, and some sample bias may exist, considering those who responded to this survey did not legally report their CSA until the CVA was open.

# RESULTS

## Demographics:

This section summarizes the self-reported characteristics of survey respondents. Thirty-eight total survey responses contained enough information to include in this section.

Most respondents identified as male (84.2%; n=32), while 13.2% (n=5) identified as female, and one respondent identified as trans-male (2.6%; n= 1). This differs from the typical gender distribution seen in childhood sexual abuse (CSA) literature, where research on male victims remains limited.<sup>1</sup>

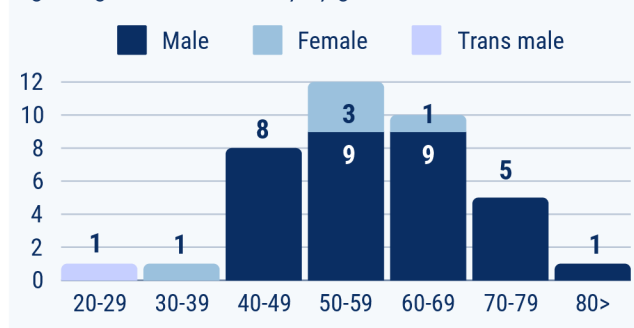
This report contributes to the existing literature by providing insights from a sample primarily composed of males, offering a valuable opportunity to deepen our understanding of the experiences of male survivors disclosing abuse.

In terms of racial composition, most respondents identified as White (89.4%; n=34), followed by respondents identifying as 'Two or more races' (n=2), Latino (n=1), and Black (n=1). This distribution is consistent with patterns observed in the literature on childhood sexual abuse (CSA) reporting, which suggests that children from racial and ethnic minority backgrounds are less likely to disclose their abuse.<sup>2</sup>

Despite this observed trend, there is a notable scarcity of literature addressing the impact of culture on disclosure behaviors among racial and ethnic minority groups.<sup>3</sup> Previous research conducted by CHILD USA has shown similar patterns in race/ethnicity distributions among respondents. Future research conducted by CHILD USA will focus on understanding the underlying reasons for the limited number of racial and ethnic minorities coming forward to file lawsuits under revival windows, aiming to shed light on this important and understudied aspect of CSA reporting behavior.

The mean current age of respondents at the time of the survey was 49.5 years old (see Figure 2). Specifically, the average age for male respondents was 60 years old, while female respondents had an average age of approximately 50 years old. Most respondents fall into the middle-aged category, with individuals between the ages of 50 and 70 accounting for approximately 63% of the sample. In contrast, only two respondents were between the ages of 20 and 39.

Fig 2. Age at time of survey by gender

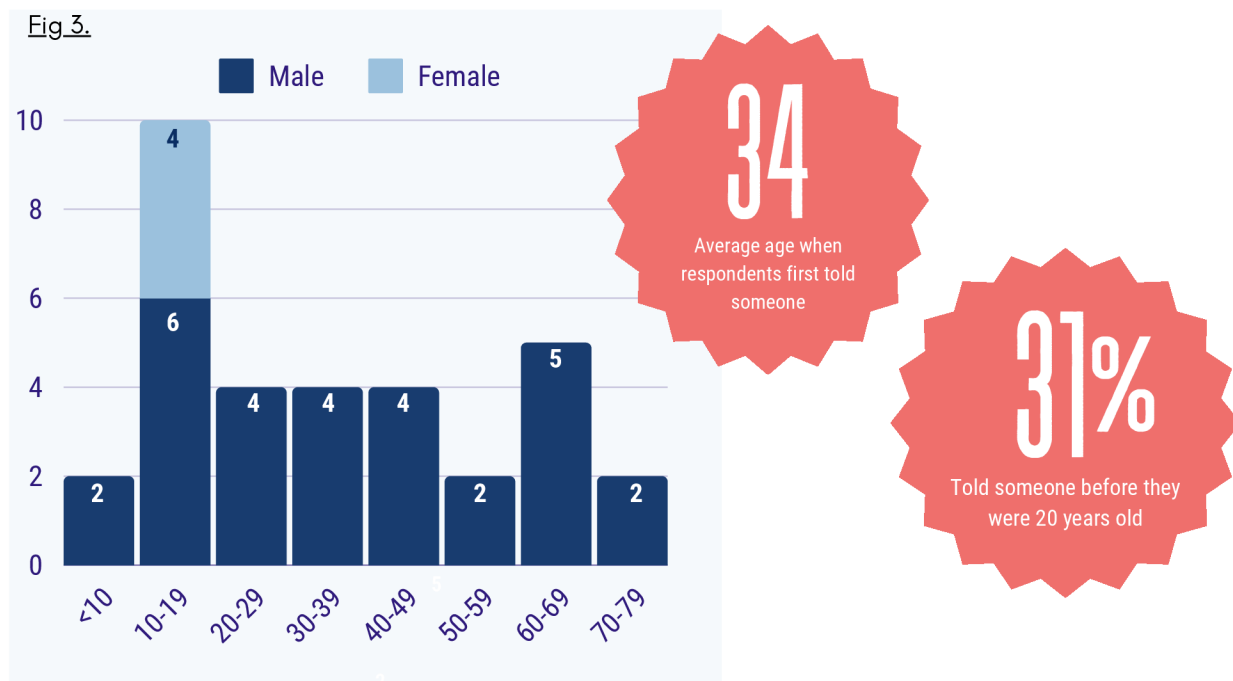


1. Blackburn, Grubb, and Vargas, "Sexual Violence Experiences among Adolescent and Young Adult Males."

2. Brazelton, "The Secret Storm"; Anderson, "The Continuum of Disclosure."

3. Fontes and Plummer, "Cultural Issues in Disclosures of Child Sexual Abuse Forensic, Cultural, and Systems Issues in Child Sexual Abuse Cases - Part 1."

# AGE AT FIRST DISCLOSURE



## Disclosure of Abuse:

Figure 3 exhibits the age at which individuals first disclosed their experiences of sexual abuse to another person. On average, respondents reported first disclosing at the age of 34. Approximately 31% of the sample disclosed before reaching the age of 20, while approximately 23% disclosed between the ages of 20 and 39. Furthermore, around 17% disclosed between the ages of 40 and 59.

By utilizing the variables 'age at first sexual abuse' and 'age at first disclosure,' we calculated the metric 'years before first disclosure' to quantify the duration between the occurrence of sexual abuse and the victim's initial disclosure of the abuse to another party (see Figure 4). The average duration between the experience of abuse and disclosure among respondents was 23 years.

Approximately 27.5% of respondents disclosed their abuse immediately: within three years of experiencing it. Notably, all female respondents chose to disclose within ten years of the abuse, whereas male respondents exhibited a more evenly distributed pattern of disclosure timing. Consistent with existing literature, the majority (over 70%) of the sample did not disclose their abuse within five years of experiencing it. Additionally, nearly 30% of respondents took 40 years or more to disclose their abuse.

# YEARS BEFORE FIRST DISCLOSURE

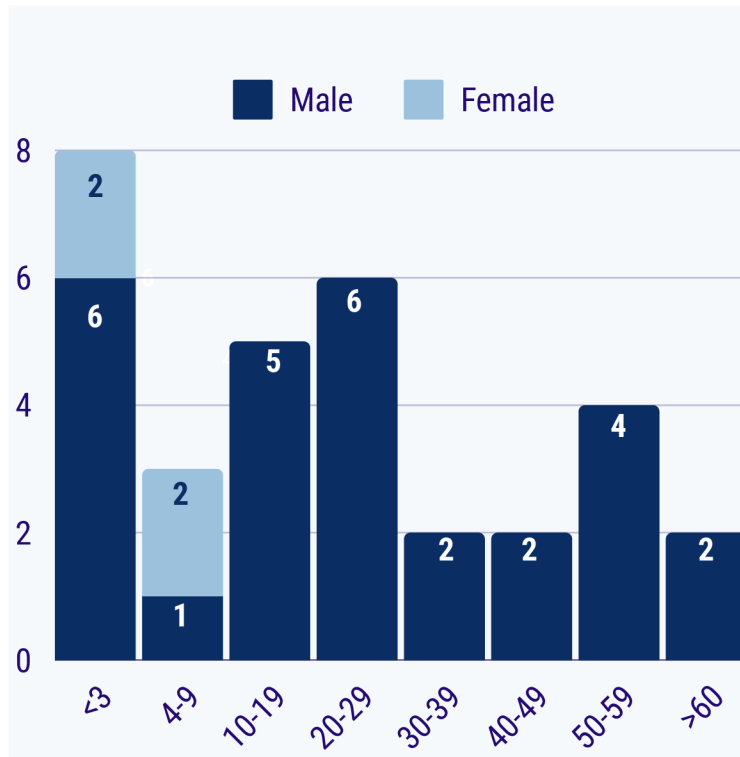


Fig 4.



## Initial Disclosure Recipients:

The distribution of initial disclosure recipients is illustrated in Figure 5. A significant number of respondents (21.2%, n=7) shared their experience of sexual abuse with their spouse or romantic partner, followed by siblings (15.2%, n=5), attorneys or legal representatives (15.2%, n=5), individuals categorized as 'other' (15.2%, n=5), and friends (12.1%, n=4). A smaller percentage of respondents disclosed to spiritual leaders (6.06%, n=2), parents and guardians (9.09%, n=3), or teachers or school staff (6.06%, n=2). Respondents who fell into the 'other' category mentioned disclosing their childhood sexual abuse experience to distant relatives, classmates, or doctor(s).

The high proportion (21.2%) of respondents confiding in their spouse or romantic partner is noteworthy, especially considering that many male survivors of sexual abuse are of middle age when they feel ready to address their abuse. This highlights the crucial role a supportive partner can play in encouraging disclosure among male survivors. This aspect is further explored in the discussion section. Notably, none of the respondents reported that the first person they confided in regarding their abuse took any legal or professional action.

# INITIAL DISCLOSURE RECIPIENT

Initial disclosure recipients were spread relatively evenly across categories

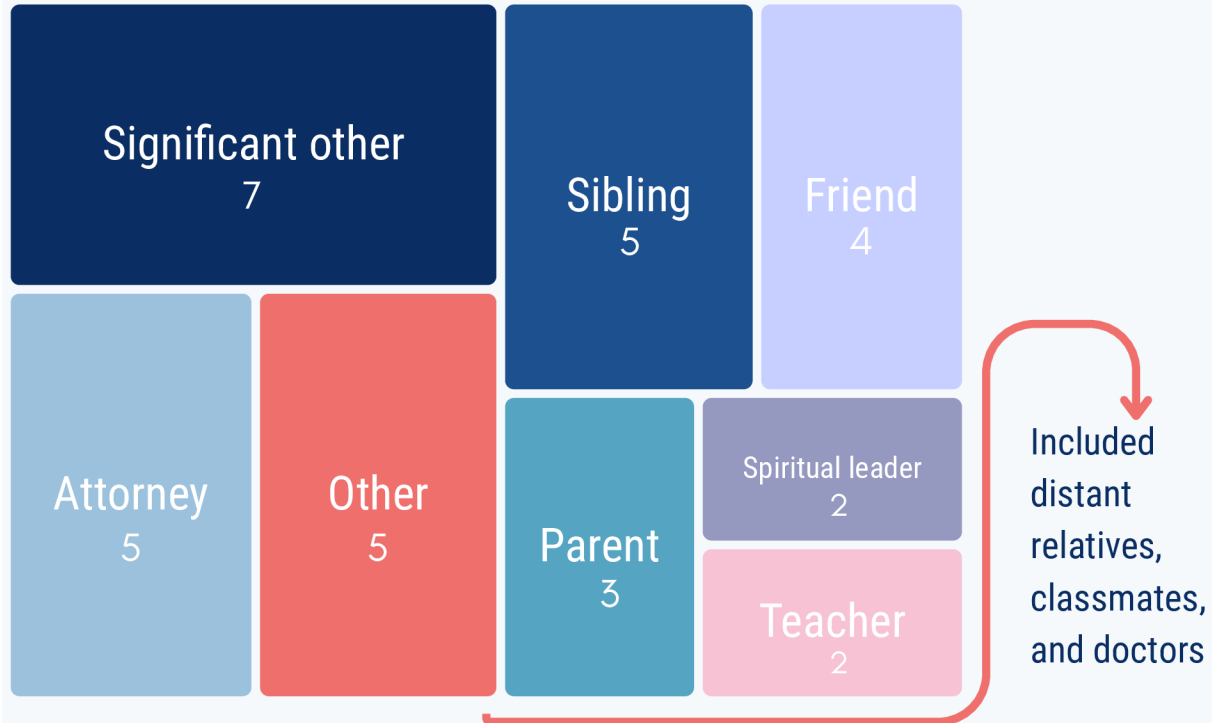


Fig. 5.

## Motivation and Legal Opportunities:

Respondents shared their motivations to pursue legal action within the CVA window by selecting one, or multiple options from a drop-down list. The responses demonstrate the importance of the CVA window, which provided legal validity for CSA victims because the case was previously out of statute (50%) and allowed survivors to be aware of the opportunity to pursue legal action (29%). Other cited reasons for filing under the CVA were encouragement from a partner/ spouse (15%), friends (6%), and family (6%).

A large percentage of responses also mentioned protections for offenders (e.g., religious, academic, athletic, etc.; 15%) having previously deterred them from pursuing legal action. One victim was motivated by seeing other people succeed in filing (3%). Those who selected 'other' as a response cited their reasons as being "preventing other[s] from being in that situation", "near death experience", and media coverage of abuse.

# DISCUSSION

Our study sheds light on the experiences of survivors who filed under the New York Child Victims Act (CVA), offering valuable insights that contribute to the existing literature on delayed disclosure of child sexual abuse (CSA). The main takeaways from our study were related to the delayed timing of disclosure of abuse and to whom the abuse was first disclosed. The findings from our study align with previous research, indicating that many survivors of CSA take years or even decades to disclose their abuse.

We found a difference of around 20 years between the average *age of initial disclosure* (34 years old) and age of filing a CVA lawsuit (56 years old). This is congruent with existing literature placing the age of initial disclosure to anyone around 30 years of age and Spröber's (2014) seminal study on reporting abuse to a German government-sponsored hotline finding the average age of reporting to be 52.<sup>4</sup> Understanding the difference between these two numbers and why they differ is an integral step toward understanding the landscape of CSA disclosure.

No one in our sample who previously disclosed abuse indicated that the person they told made an official report. Although all the participants in this study eventually filed a lawsuit, it would be misleading to conflate their age at first disclosure with the age at which they first pursued legal action.

The New York statute of limitations before the window was passed was age 23, and most of our sample did not begin talking about their abuse until about 10 years post-abuse, meaning options for official action were limited.

Barriers at the institutional level are essential to consider when discussing discrepancies between initial disclosures and reporting. In studies done on reporting barriers for CSA victims while they were still children, respondents cited fear over what reporting abuse would do to their families, being intimidated by the approach of authority figures, being unaware of legal opportunities, and fear of not being believed.<sup>5</sup> These barriers disproportionately affect communities that have historically been mistreated by the authorities.<sup>6</sup> In the U.S., this includes immigrants, black and brown communities, and those belonging to the LGBTQ+ community.

The significant proportion of respondents who disclosed their abuse to their spouse or romantic partner is particularly noteworthy, especially in the context of middle-aged male survivors. Middle-aged men may face unique challenges in disclosing their abuse, given societal norms surrounding masculinity and homophobia. Many men may delay disclosing their abuse until they have a supportive spouse or partner with whom they feel safe and comfortable.

4. Spröber et al., "Child Sexual Abuse in Religiously Affiliated and Secular Institutions."

5. Lemaigre, Taylor, and Gittos, "Barriers and Facilitators to Disclosing Sexual Abuse in Childhood and Adolescence."; Jonzon and Lindblad, "Disclosure, Reactions, and Social Support"; Lev-Wiesel and First, "Willingness to Disclose Child Maltreatment."

6. Lev-Wiesel and First, "Willingness to Disclose Child Maltreatment."



General disclosure statistics do not account for the severe lack of formal reporting resulting from initial disclosures. Our study's results support framing disclosure statistics in terms of when official action was taken to stop the abuse or bring the abuser(s) to justice.

Our results highlight the need for continued legislative advocacy for SOL reform nationwide. The low rates and delayed timing of official reporting to authorities among our respondents, consistent with previous research, underscore the barriers that survivors face in seeking justice. SOL reform, including the implementation of revival windows, provides survivors with a critical opportunity to take legal action even after years of silence.

Revival windows play a crucial role in facilitating disclosure among middle-aged victims (especially male victims) by providing them with an opportunity to take legal action even after decades of silence. By extending the period in which survivors can file lawsuits, revival windows empower survivors to seek justice and hold their abusers accountable. This aspect of SOL reform is particularly advantageous for middle-aged victims who may have been silenced for years and highlights the importance of continued advocacy for SOL reform across the country.

***“APART FROM SEEKING  
INSTITUTIONAL ACCOUNTABILITY  
IN MY OWN CASE, I FILED  
BECAUSE I BELIEVE IT WILL HELP  
CHANGE AND STRENGTHEN THE  
SAFEGUARDS IN PLACE FOR KIDS  
TODAY.”  
-MALE, 67***

***“THE CVA HAS MADE IT POSSIBLE  
FOR THE VICTIMS OF CHILD  
SEXUAL ABUSE TO STAND UP,  
TELL OUR STORIES TO THE WORLD  
AND BE VALIDATED AND HELD  
BLAMELESS.”  
-FEMALE, 61***

# CONCLUSION

These survey results demonstrate the necessity of providing opportunities for CSA victims to sue the institutions responsible for their abuse. By the time male abuse survivors identify a safe person to whom they can disclose, their legal opportunities to take action against their abusers have been largely foreclosed by short SOLs.

**Our society owes it to abuse victims to give them as much time as they need to take action to hold institutions accountable.**

There are many justifiable reasons why men wait until middle age before going public with their abuse. We should not preemptively close the courthouse doors just because these victims feared for their reputation and safety or could not articulate the abuse until many years later. CHILD USA will continue to lead the way on the science behind SOL reform including racial justice.



# CITATIONS

- Anderson, Gwendolyn. "The Continuum of Disclosure: Exploring Factors Predicting Tentative Disclosure of Child Sexual Abuse Allegations During Forensic Interviews and the Implications for Practice, Policy, and Future Research." *Journal of Child Sexual Abuse* 25 (May 18, 2016): 382–402. <https://doi.org/10.1080/10538712.2016.1153559>.
- Blackburn, Katelin, Laura K. Grubb, and Gabriela Vargas. "Sexual Violence Experiences among Adolescent and Young Adult Males: A Review to Empower Healthcare Providers." *Current Opinion in Pediatrics* 34, no. 4 (August 2022): 297–305. <https://doi.org/10.1097/MOP.0000000000001124>.
- Brazelton, Jewell F. "The Secret Storm: Exploring the Disclosure Process of African American Women Survivors of Child Sexual Abuse across the Life Course." *Traumatology* 21, no. 3 (September 2015): 181–87. <https://doi.org/10.1037/trm0000047>.
- Fontes, Lisa Aronson, and Carol Plummer. "Cultural Issues in Disclosures of Child Sexual Abuse Forensic, Cultural, and Systems Issues in Child Sexual Abuse Cases - Part 1: Forensic Evaluations and Disclosures: Cultural and Disclosure Issues." *Journal of Child Sexual Abuse* 19, no. 5 (2010): 491–518.
- Jonzon, Eva, and Frank Lindblad. "Disclosure, Reactions, and Social Support: Findings from a Sample of Adult Victims of Child Sexual Abuse." *Child Maltreatment* 9, no. 2 (May 2004): 190–200. <https://doi.org/10.1177/1077559504264263>.
- Lemaigre, Charlotte, Emily P. Taylor, and Claire Gittoes. "Barriers and Facilitators to Disclosing Sexual Abuse in Childhood and Adolescence: A Systematic Review." *Child Abuse & Neglect* 70 (August 2017): 39–52. <https://doi.org/10.1016/j.chiabu.2017.05.009>.
- Lev-Wiesel, Rachel, and Maya First. "Willingness to Disclose Child Maltreatment: CSA vs Other Forms of Child Abuse in Relation to Gender." *Child Abuse & Neglect* 79 (May 1, 2018): 183–91. <https://doi.org/10.1016/j.chiabu.2018.02.010>.
- Spröber, Nina, Thekla Schneider, Miriam Rassenhofer, Alexander Seitz, Hubert Liebhardt, Lilith König, and Jörg M Fegert. "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, no. 1 (December 2014): 282. <https://doi.org/10.1186/1471-2458-14-282>.