

CHILDUSA

The Sean P. McIlmail Statute of Limitations Research Institute



SNAP

New York City

Survivor Toolkit

*A Guide for Survivors of Gender-Motivated
Violence Considering Civil Legal Action*



The new window opens on March 1, 2026, and closes
on March 1, 2027

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What Is the New York City Gender-Motivated Violence Act (GMVA)?

The Law explained:

The Gender-Motivated Violence Act (GMVA) is a New York City civil rights law that gives survivors the right to file a civil lawsuit for physical, emotional, or psychological harm resulting from gender-motivated violence, including sexual abuse and assault, when the violence occurred in any of the five boroughs: Manhattan, Brooklyn, Queens, the Bronx, or Staten Island.

The GMVA creates a civil cause of action, separate from criminal prosecution. Survivors can sue the perpetrator and any responsible individuals or institutions, including government agencies, for money damages and other relief. Survivors may file suit even if the perpetrator has not been prosecuted in criminal court.

The GMVA protects all survivors, including cisgender women, transgender women and men, nonbinary survivors, and gender-expansive individuals.

**THE NEW WINDOW OPENS MARCH 1, 2026,
AND CLOSSES MARCH 1, 2027**

What Is the Statute of Limitation (SOL) Under the New York City GMVA?

SOL Before the 2025 Update to the Law

For acts occurring **on or after January 9, 2022**, survivors had the later of 7 years from the violent act or 9 years from when they knew or should have known that their injuries were caused by gender-motivated violence to sue either the individual perpetrator or responsible institutions, employers, or government agencies. For violence occurring **before January 9, 2022**, however, survivors could sue only individual perpetrators.

New York City previously opened a 2-year revival window from March 2023 to March 2025, that allowed survivors to file otherwise expired claims against individual perpetrators only.

SOL After the 2025 Update to the Law

The 2025 update keeps the standard filing deadlines the same but creates a new **1-year revival window** from March 1, 2026, to March 1, 2027. During this window, any survivor of gender-motivated violence may file a civil lawsuit against individuals, institutions, or government agencies regardless of when the violence occurred, and even if their claim was previously dismissed.

Although the updated law passed the city council, it still needs to be signed by the mayor before taking effect.

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**This is not legal advice. To determine the SOL in a particular sex abuse case, contact a lawyer in New York*

How Will the New Law Help You?

Are you an NYC survivor of gender-based violence?

If you experienced gender-motivated violence—such as sexual assault, attempted assault, sexual battery, coerced sexual acts, or other physical or sexual violence motivated in part by gender or gender identity—within any of New York City’s five boroughs, you may have the right to file a lawsuit under the GMVA. You do not need to live in New York City to qualify; the law applies so long as the violence occurred within city limits, including in workplaces, schools, youth programs, detention facilities, or public or private settings.

The updated GMVA creates a new **1-year revival window** during which any survivor of gender-motivated violence in NYC may file a lawsuit no matter how long ago the violence occurred, even if:

- the original SOL expired,
- the abuse occurred before January 9, 2022,
- the claim was dismissed in the 2023–2025 window, or
- the survivor was previously barred from suing institutions or government agencies.

After the 1-year window closes, survivors whose abuse occurred on or after January 9, 2022, may still bring new GMVA claims within 7 years of the violent act or 9 years of discovering that their injuries were caused by gender-motivated violence. These deadlines apply to lawsuits against individual perpetrators, institutions, employers, and government agencies.

A GMVA lawsuit allows survivors to seek compensation for a wide range of harms including medical and mental-health expenses, lost income, and pain and suffering. Courts may also award punitive damages in cases of egregious misconduct, and survivors may recover attorney’s fees, litigation costs, and request additional court-ordered relief, including injunctions or protective orders, where appropriate.

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10 Things to Remember

- 1 You are not alone.** Nearly 1 in 4 adults experience sexual violence and about 1 in 5 girls and 1 in 13 boys are sexually abused.
- 2 The brain adapts to trauma in order to cope,** and that coping may manifest in PTSD, depression, anxiety, or other ways.
- 3 It's never too late to report abuse.** You can contact the local police department in the town where you were abused and tell them what happened at any time.
- 4 Take good care of yourself.** Consider seeing a therapist and encourage loved ones to do the same. Practice self-care, like exercising regularly, mindfulness, limiting alcohol and recreational drugs, and seeking social support through a survivor support group.
- 5 The court system may not understand your needs.** Some officials will have received trauma-informed training, some will not.
- 6 The legal system is a lot of “hurry up and wait.”** It is normal to be asked to produce information quickly, and then not hear from your lawyer for a while.
- 7 The litigation process can take time.** Your case may resolve quickly or slowly depending on the state and other factors.
- 8** There may be triggers during litigation that cause you to re-experience the initial trauma. This **re-traumatization can be treated** through proper therapy.
- 9 You control your story.** Your attorney and therapist will be bound by certain confidentiality rules and you may have the option to file a lawsuit under a pseudonym to protect your identity.
- 10 Your attorney works for YOU.** If you are offered a settlement, your attorney can only settle your case with your permission after you approve the monetary amount. If you receive settlement funds, this is American justice. You deserve to be compensated for harm.

10 Resources to Trust

- 1 CHILD USA:** www.childusa.org
Although CHILD USA cannot represent you in your legal action, we have additional resources to support you, your lawyer, your therapist, and your loved ones.
- 2 New York City Alliance Against Sexual Assault:** Provides crisis support, legal and medical advocacy, and connects survivors with specialized services across NYC.
visit: <https://svfreenyc.org/>
- 3 Safe Horizon (NYC):** Provides trauma-informed counseling, shelter, legal assistance, and comprehensive support.
visit: <https://www.safehorizon.org/get-help-now/>
- 4 National Children's Advocacy Center:** For free access to research often needed in child abuse cases
visit: www.nationalcac.org
- 5 To find a local Child Advocacy Center:** www.nationalchildrensalliance.org/
- 6 The National Sexual Assault Telephone Hotline:** 1-800-656-HOPE (4673)
- 7 The National Center for Victims of Crime (NCVC):** www.victimsofcrime.org/
- 8 The National Suicide Prevention Hotline:** 1-800-273-8255
- 9 The National Center for Exploited and Missing Children:** www.missingkids.org/gethelpnow
- 10 Rape, Abuse, & Incest National Network (RAINN):** www.rainn.org

10 Terms to Know

- 1 Child Sex Abuse (CSA):** Any sexual activity with a minor (like fondling, intercourse, exposing oneself, masturbating, obscene calls, messages, or digital contact, vaginal, anal, or oral sex, sex trafficking, producing or possessing child sexual abuse material (CSAM), or any other harmful sexual conduct).
- 2 Delayed Disclosure of Abuse:** the common phenomenon where survivors of child sex abuse wait for years, often well into adulthood, before telling anyone they were abused. The average age of disclosure is 52 years-old.
- 3 Statute of Limitation (SOL):** a law that sets the amount of time after a person is abused that: (1) the person can file a civil lawsuit for their injury, or (2) the government can criminally prosecute an abuser and others for their crimes.
- 4 Criminal Prosecution:** The state or federal government may prosecute by filing criminal charges against a person or entity for their crimes relating to child sex abuse. Punishment for criminals could involve jail time, fines, or restorative justice.
- 5 Civil Lawsuit:** A survivor of child sex abuse may file a claim against an abuser, other individual, entity or the government to recover money damages or seek other remedies for abuse-related injuries.
- 6 Discovery Rule:** A law that says the SOL time countdown doesn't begin until a person is aware of their injuries relating to child sex abuse or makes the connection that their injuries were caused by abuse.
- 7 Injuries Caused by Child Sex Abuse:** Injuries can include physical and mental health issues, like STDs, depression, anxiety, PTSD, addiction, and difficulty participating in relationships, work, or community.
- 8 Defendant:** A person or institution that is sued for child sex abuse. A defendant can be an **abuser**, a person who sexually abused a child, or other individuals or institutions that knew about or enabled the abuse. **Institutions** can be a private organization (like a business, non-profit company, or religious institution) or a public organization (like a government agency or public school).
- 9 SOL Extension or Elimination Laws:** Laws that change the SOL to give survivors more time to file claims for abuse-related injuries. **Extension** laws lengthen the SOL so that it expires later, while **elimination** laws completely remove the SOL so that there is no limit for when claims can be filed.
- 10 Revival Laws:** Laws that establish a specific period of time during which survivors can bring previously-expired civil claims to court. When the revival period is a set amount of time after the law is passed, it is called a **revival window**, and claims can be filed while the window is open. States have opened windows for a few years or permanently. When the revival period is set at a survivor's age, it is called a **revival age limit**, and claims can be filed until a survivor reaches that specific age. The age states choose ranges from 27-55.

Join CHILD USA in Our Fight to Prevent Child Abuse and Neglect



VISIT CHILD USA'S HAMILTON LIBRARY

The Hamilton Library is the only library on child sex abuse, curated by experts to inform survivors, parents, advocates, lawyers, lawmakers, teachers, coaches, or anyone that might be around children. It contains a selection of books (both fiction and nonfiction), documentaries, videos, articles, and online resources that are respected, illuminating, and informative. The library is continually updated, free, and open to the public.

Visit the Hamilton Library at:
<https://childusa.org/library>

JOIN THE SOL REFORM MOVEMENT

The Sean P. McIlmail Research Institute at CHILD USA was founded in 2018 with a generous donation from the parents of Sean McIlmail, a brave clergy sex abuse victim who passed away from a drug overdose while awaiting justice. Due to Pennsylvania's exceedingly short SOLs, Sean was the only person in statute that could prosecute Fr. Robert Brennan of the Philadelphia Archdiocese. The Institute, which will help preserve Sean's legacy, is dedicated to studying and analyzing SOLs to fight for access to justice for all child sex abuse victims. For more information on SOL reform or to find out how you can get involved in advocating for better SOLs in your state, visit childusa.org/sol.

