



October 15, 2026

**CHILD USA TESTIMONY BEFORE THE NEW JERSEY ASSEMBLY LAW AND
PUBLIC SAFETY COMMITTEE**

RE: A3384 and the elimination provisions of S1270/S2566

Chair and distinguished members of the Committee:

Thank you for the opportunity to testify. My name is MaryClare Malady, and I am the Chief Executive Officer of CHILD USA, a national nonprofit think tank dedicated to protecting children's rights through legal analysis and social science research.

We urge you to advance A3384 with the Senate's provisions eliminating the civil and criminal statutes of limitations for human trafficking.

This legislation serves interests extending far beyond compensation or punishment for past wrongdoing. It can expose hidden perpetrators, reveal the people and practices that sustain exploitation, and protect children and adults who remain at risk today.

**I. RESEARCH ON TRAUMA AND DELAYED DISCLOSURE SUPPORTS SOL
ELIMINATION**

Human trafficking depends on the exploitation of vulnerability. Traffickers use threats, manipulation, economic dependence, and isolation to establish control and prevent disclosure.

For a child, the person arranging the exploitation may also be the person providing food, housing, affection, or a sense of belonging. A child may not recognize the exploitation, have the words to describe it, or have a trusted adult who will listen and respond.

Adult survivors may face threats to their families, immigration concerns, financial insecurity, and fear of punishment for conduct they were compelled to undertake.

These barriers do not necessarily disappear when the trafficking ends. Survivors may need substantial time to establish safety, obtain treatment, understand their injuries, and become able to participate in legal proceedings.

Disclosure is a process. Telling someone, reporting to authorities, and being able to pursue a lawsuit are different steps, with different demands.

A legal deadline cannot accelerate that process. It can, however, extinguish a survivor's rights before there is a realistic opportunity to exercise them.

The law should reflect the realities of victimization and disclosure.

II. SOL REFORM SERVES THREE COMPELLING PUBLIC PURPOSES

A. Identifying hidden perpetrators and responsible institutions

Short statutes of limitations reinforce secrecy by preventing otherwise viable cases from reaching the courts.

When survivors can pursue their claims, investigations and litigation can identify perpetrators, connect accounts from multiple victims, and expose people or institutions that facilitated exploitation.

Those disclosures have immediate public safety implications. A case involving conduct from years ago may identify a person who still has access to vulnerable children, a business practice that still facilitates exploitation, or a network that has never been fully investigated.

Holding perpetrators accountable has implications beyond past cases. It can reveal the conditions that place children at risk today.

B. Shifting the costs of exploitation to those responsible

Trafficking imposes costs that can persist throughout a survivor's life: medical and mental health treatment, interrupted education, lost earnings, and difficulty maintaining stable housing and employment.

Survivors, families, and public systems bear those costs. Civil accountability provides a means of placing responsibility on those who caused the harm and those whose participation or benefit meets the statutory requirements for liability.

That is why eliminating both civil and criminal deadlines matters.

Criminal prosecution can punish and incapacitate offenders. Civil proceedings provide survivors with an independent means of seeking compensation and establishing the responsibility of additional legally culpable parties.

New Jersey's trafficking civil remedy already recognizes that a survivor's right to sue does not depend on a criminal conviction.

C. Preventing further exploitation through exposure, education, and accountability

Trafficking is an enterprise sustained by demand, profit, and the expectation that exploitation can remain concealed.

Preserving accountability can increase the legal and financial risks for buyers whose conduct constitutes trafficking, traffickers, and legally responsible facilitators and beneficiaries.

Civil discovery can expose financial arrangements and the infrastructure supporting exploitation. Public disclosure can help families recognize recruitment and grooming, help professionals identify warning signs, and create pressure for businesses and institutions to adopt effective safeguards.

These are concrete mechanisms through which SOL reform can support demand reduction and disrupt trafficking.

Elimination alone will not end trafficking. It must operate alongside effective investigation, survivor services, and prevention. But allowing an otherwise provable case to expire removes an important means of exposing and challenging the enterprise.

III. NEW JERSEY SHOULD BUILD ON THE NATIONAL MOVEMENT BY ADOPTING FULL ELIMINATION

For more than two decades, survivors, researchers, advocates, and legislators have advanced a national movement to reform sexual abuse statutes of limitations.

CHILD USA's objective is clear: eliminate civil and criminal SOLs and revive expired civil claims.

Federal law provides an important trafficking precedent. Since 2006, Section 3299 has permitted prosecution without a limitations period for sex trafficking under Section 1591.

In 2019, CHILD USA supported New Jersey's extension of civil sexual abuse deadlines and its revival window. We recognized those measures as significant progress while identifying complete prospective elimination as the preferred approach.

An extension is progress, but it preserves an expiration date. A discovery rule can help, but it can also require survivors to litigate when they understood their injuries before the underlying wrongdoing is addressed.

Neither ensures that a survivor with a provable case can reach the merits whenever disclosure becomes possible.

We also recognize the Committee's responsibility to consider evidentiary reliability and fairness to defendants.

Evidence can deteriorate. Witnesses may become unavailable. Those concerns deserve careful examination in each case.

But elapsed time alone cannot establish whether a case is reliable. A recent allegation may be unsupported; an older case may contain substantial corroborating evidence.

Elimination preserves the obligation to prove the case. Criminal defendants retain the presumption of innocence, the right to challenge the evidence, and the requirement of proof beyond a reasonable doubt. Civil plaintiffs retain the burden of establishing liability.

The question should be whether the evidence establishes responsibility under the law.

Finally, the Senate bill applies to prosecutions and civil claims that remain timely when it takes effect. It leaves survivors with already expired civil claims without relief under this legislation. We urge a constitutionally sound provision reviving those claims. Revival of expired criminal prosecutions presents a separate constitutional barrier.

IV. CONCLUSION

Access to justice is a fundamental component of children's rights.

Please adopt full civil and criminal SOL elimination for human trafficking and provide meaningful access to justice for survivors with expired civil claims.

This reform can expose hidden perpetrators, shift the costs of exploitation to those responsible, educate the public, and strengthen prevention.

When sufficient evidence exists to establish responsibility, the passage of time alone should not close the courthouse doors.

Thank you.