

# The Latest on Delayed Disclosure & SOL Reform For Child Sex Abuse

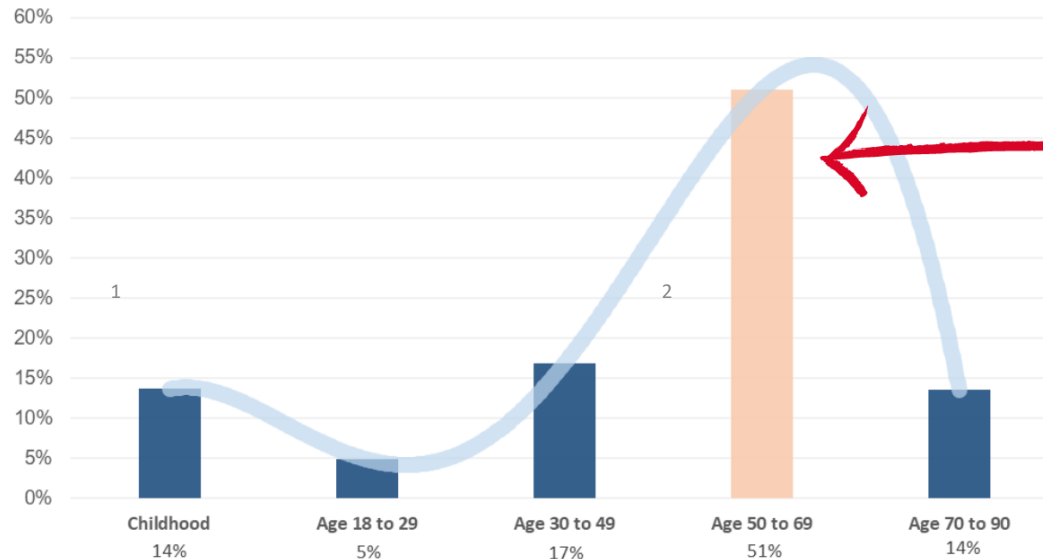


<sup>1</sup> Professor Marci A. Hamilton  
CEO & Founder  
CHILD USA

## DELAYED DISCLOSURE OF CHILD SEXUAL ABUSE

Delayed disclosure is the phenomenon common to survivors of child sex abuse where individuals wait for years, often well into adulthood, before telling anyone they were abused.

Age of First Disclosure of Survivors of Abuse in Boy Scouts of America



More survivors first disclosed between **age 50 and 70** compared to any other age group

**Over half** of survivors who reported first disclosed at **age 50 or older**

**30%** never come forward

Source: CHILD USA's Data on those abused in Boy Scouts of America

## Child Sex Abuse SOLs Have Been Too Short

- Originally, general personal injury statutes were between 1-2 years from the date of the abuse
- Then they were 1-6 years from the age of majority
- Due to trauma effects and memory issues, victims could not come forward
- Courts and states responded by adopting rules to expand and toll SOL
  - The first state to pass a revival window for civil actions was CA in 2003



## For Victims from the Past



**Revival Laws:** Laws that revive previously expired civil claims, regardless of the reason for the delay.

- **Permanent Revival:** Claims can be brought in perpetuity.
- **Revival Window:** Claims can be brought for a certain number of years post-enactment.
- **Revival up to an age limit:** Claims can be brought until a survivor reaches a specific age.

## **Poll Question 1**

**What % of child sexual abuse survivors never disclose abuse?**

- 10%
- 30%
- More than 30%
- Not sure/data incomplete

## For Victims Whose Abuse Is More Recent

- **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 6
- **Elimination** laws completely remove the SOL so that there is no limit to file a claim regardless of the reason for the delay

## **Poll Question 2**

**I am familiar with the criminal AND civil Statute of Limitations for child sexual abuse in my state.**

- Yes
- No
- Not sure

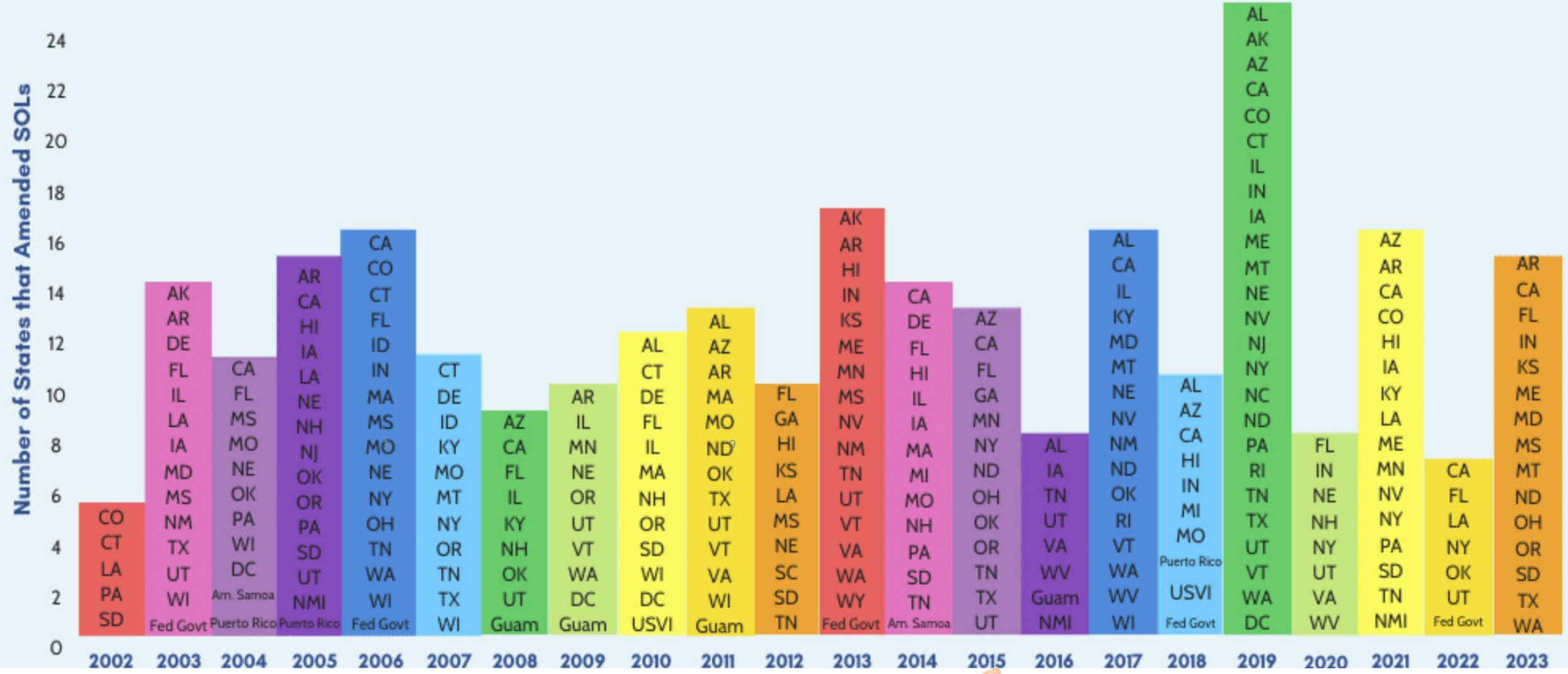
# The Impact of SOL Reform

- From 2002 to 2016:
  - Criminal SOL Reform= **116 laws**
  - Civil SOL Reform= **54 laws** (total inclusive of civil elimination, extension, and revival)
  - Civil Windows/Revivals= **11 laws**
- From 2016 to the present<sup>1</sup>
  - Criminal SOL Reform= **75 laws**
  - Civil SOL Reform= **62 laws** (total inclusive of civil elimination, extension and revival)
  - Civil Windows/Revivals= **30 laws**



# 2002 - 2023 Pace of Change

## Civil & Criminal SOL Reform Laws for Child Sex Abuse



# THE BEST U.S. CHILD SEX ABUSE STATUTES OF LIMITATION BY JURISDICTION

51

U.S. Jurisdictions

## NO CRIMINAL SOL FOR SOME OR ALL CSA CRIMES

**44 States**, 6 Territories, and the Federal Government eliminated criminal SOLs  
No SOL in all *except* NV, NH, ND, OH, OK, & OR

21

U.S. Jurisdictions

## NO CIVIL SOL FOR SOME OR ALL CSA CLAIMS

**18 States**, 2 Territories, and the Federal Government eliminated civil SOLs  
No SOL in AR, AK, AZ, CA, CO, CT, DE, FL, IL, LA, ME, MD, MN, NE, NV, NH, UT, VT, Fed , NMI, & Guam

1

10

30

U.S. Jurisdictions

## REVIVAL OR WINDOW LAW FOR EXPIRED CIVIL CLAIMS

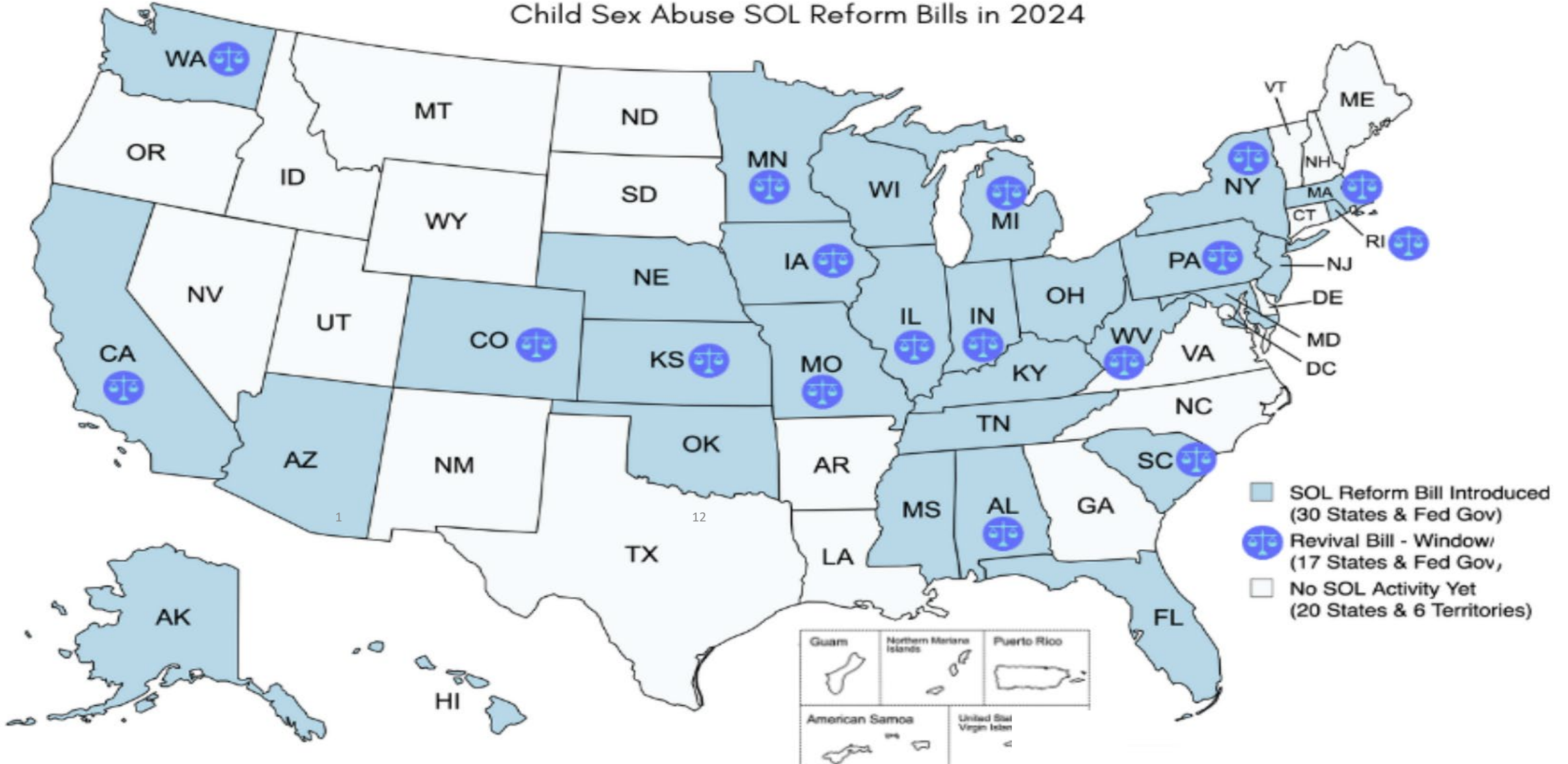
**27 States** and 3 Territories revived claims: AZ, AR, CA, CO\*, CT, DE, GA, HI, KS, KY, LA, ME, MD, MA, MI, MN, MT, NV, NJ, NY, NC, OH, OR, RI, UT\*, VT, WV, DC, NMI, & Guam

## Overview of 2024 SOL Reform Bills

- SOL Reform Bills Introduced (31 States & Federal)
  - 15 to eliminate criminal; 8 to extend criminal;
  - 19 to eliminate civil; 11 to extend civil; and civil window/revival

# 2024 SOL TRACKER

## Child Sex Abuse SOL Reform Bills in 2024



# Q & A

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[www.childusa.org](http://www.childusa.org)

Visit our website for the most up-to-date information on the movement for children's rights, including SOL reform, vaccine avoidance, and educational neglect, and the Hamilton Library on child sex abuse.

For more information: [info@childusa.org](mailto:info@childusa.org)

