



Written Testimony of

Kathryn Robb, Esq.
National Director
The Children's Justice Campaign
At ENOUGH ABUSE

Hearing on H 5909
Before the Judiciary Committee
of the Rhode Island House

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Testimony in Support of Rhode Island H 5909: Eliminating the Statute of Limitations for Childhood Sexual Abuse Actions

Good morning, esteemed members of the committee. I am Kathryn Robb, National Director of the Children's Justice Campaign at Enough Abuse. As a lawyer, legislative advocate, national expert, and survivor of childhood sexual abuse, I am submitting this testimony to express our organization's strong support for Rhode Island H 5909.

This legislation addresses a critical need to protect children in our communities and ensure justice for survivors of childhood sexual abuse ("CSA"). By eliminating the statutes of limitation ("SOLs") for civil actions and reviving expired claims, H 5909 empowers survivors to seek accountability and creates a safer environment for children today.

How This Legislation Benefits the Common Good

A *statute of limitation* is a law that sets a time limit for filing a lawsuit; they are arbitrary time limits established by legislative bodies. They make sense for most civil wrongs; however, they are not appropriate for sexual abuse claims where the young victim is silenced by the perpetrator, often for decades after the victim reaches the age of majority. Statutes of limitations for child sexual abuse claims do not serve the well-being of our children or the common good. These limits can be deeply unfair to survivors of child sexual abuse, as the trauma they experience often delays their ability to come forward. Once the SOL has passed, a person can no longer sue, regardless of the merits of their claim, effectively silencing survivors and allowing abusers to escape accountability. *Revival laws* are designed to allow survivors whose claims were previously time-barred to pursue justice. Eliminating the statute of limitations and implementing revival laws for child sexual abuse cases provides the following significant benefits to society:

- 1. Protects Kids Now:** By identifying hidden predators and bad actors, we can prevent future abuse.
- 2. Transfers the Cost of Abuse:** It shifts the financial burden from victims and taxpayers to the responsible parties.



3. **Educates Communities:** It raises awareness about the extent of the child sexual abuse, empowering communities to better protect children.
4. **Prevents Future Abuse:** By forcing institutions to adopt safer child protection policies, procedures, training, and responses, we can create a safer environment for all children.

Childhood Sexual Abuse is Widespread

Childhood sexual abuse is not a rare occurrence; it is a crisis in our communities that demands immediate attention. Approximately **1 in 8 children will experience sexual abuse before their 18th birthday**.¹ These are not just numbers; they are real children, our children, whose lives are forever altered by this trauma.²



The Long-Term Impacts of Abuse

The effects of childhood sexual abuse are severe and long-lasting, impacting survivors physically, psychologically, and socially. Studies have revealed statistically significant correlations between CSA and various **medical issues**, including gynecological problems, chronic pain, sleeping disorders, and obesity. The **sexual health** of survivors is also compromised, with increased risks of adult sexual revictimization, adolescent pregnancy, and higher rates of HIV positivity among men who have sex with men. Furthermore, the **psychological** toll is profound, with survivors reporting higher levels of anxiety, depression, suicidal ideation and behavior, suicide attempts, eating disorders, non-epileptic seizures, fear, and post-traumatic stress disorder (PTSD).³ These devastating impacts underscore the urgent need to address the trauma of CSA and provide avenues for healing and justice.

Why Survivors Stay Silent

The trauma associated with childhood sexual abuse creates significant barriers to reporting. Tragically, studies show that around 44.9% of male child sex abuse victims and 25.4% of female CSA victims who eventually **disclose their abuse**, do so **more than twenty years after** it occurred.⁴ Furthermore, it is estimated that a staggering 70–95% of child sexual abuse victims never report their abuse to the police.⁵ This silence is not a reflection of a lack of courage or evidence but rather the profound psychological impact of abuse, including the deep-seated fear, shame, and manipulation tactics employed by perpetrators and their enablers. Rhode Island's



current statute of limitations fails to account for these very real obstacles, effectively silencing survivors and shielding perpetrators from accountability. It perpetuates a system where justice is often unattainable for those who need it most.

Justice Through Eliminating SOLs

By eliminating the statute of limitations, H 5909 empowers survivors of childhood sexual abuse to come forward when they are ready, on their own terms, regardless of how much time has passed. This reform ensures that decades after the abuse, survivors retain the right to tell their stories, name their abusers, and expose patterns of abuse that may still be unfolding. The knowledge that past actions can be brought to light and result in liability, even years later, challenges the sense of impunity that enables some offenders to continue their destructive behavior. This critical change enables the pursuit of justice, holds offenders accountable, and helps prevent further harm to children.

Rhode Island Led the National Movement but Has Fallen Behind!

<div> REVIVAL RANKING GRADES </div> <div>Revival Legislation Protects Children</div>		
GRADE	JURISDICTION	EXPLANATION
A	Vermont, Maine, Guam, N. Mariana Islands	Complete elimination & permanent window
A-	Maryland	Permanent window but exclusion for deceased survivors and damage cap
B+	Arkansas, California, Delaware, Hawaii, Louisiana, New Jersey, New York & Washington	2+ year window All Defendants
C	Arizona, Colorado, Kentucky, Minnesota, Montana, North Carolina & Washington D.C.	Window, but not for all Defendants
D	Georgia, Michigan, Nevada & Connecticut	Narrowly drawn window or limited age extension
F	Rhode Island and all other states	No window, no revival, or limited to some Defendants
I (incomplete)	Alabama, Ohio, Indiana, Iowa	Boy Scouts Bills
<div> CHILDREN'S JUSTICE CAMPAIGN </div> <div>enoughabuse.org</div>		

Rhode Island has a commendable history of taking positive steps to address the longstanding CSA SOL issue, demonstrating a commitment to protecting children. The state has previously amended the SOL, extending the time to bring CSA claims and revived certain time-barred claims. However, the revival only applies to perpetrators, and therefore bad acting institutions and youth serving organizations (YSOs) have no incentive to adopt better practices, procedures, training, and



responses to child sexual abuse within their system. These leaves the children of Rhode Island at great risk. H 5909 builds upon this foundation, taking an even more significant step to align Rhode Island with a growing national consensus that justice for survivors demands the complete elimination of arbitrary time limits and the full revival of past claims, specifically by:

- **Eliminating SOLs:** Nineteen states, two territories, and the federal government have eliminated civil SOLs for some or all CSA claims. For example, the Federal Government recognized the importance of addressing this issue with The Eliminating Limits to Justice for Child Sex Abuse Victims Act of 2022, which removed the civil SOL for over a dozen federal CSA claims.
- **Enacting Revival Windows:** Thirty states and three territories have passed revival/window laws for expired civil CSA claims, including jurisdictions like Vermont, Maryland, Guam, and the Northern Mariana Islands which have permanently opened revival windows, demonstrating the broad appeal of revival legislation for CSA claims.

**19 states, 2 territories,
and the federal gov.
have eliminated the civil
SOL for some or all CSA
claims**

AR, AK, AZ, CA, CO, CT, DE, FL, IL,
LA, ME, MD, MN, NE, NV, NH, UT, VT,
WA, Fed , NMI, & Guam

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JURISDICTIONS

**30 states and 3
territories have
revival/window
legislation for expired
civil CSA claims**

AL, AZ, AR, CA, CO*, CT, DE, GA, HI, IN, IA, KS,
KY, LA, ME, MD, MA, MI, MN, MT, NV, NJ, NY,
NC, OH, OR, RI, UT*, VT, WV, DC, NMI, & Guam

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JURISDICTIONS

Conclusion

In conclusion, I urge this committee to support H 5909. By passing this bill, Rhode Island can help survivors of child sexual abuse heal by removing legal barriers and time constraints that silence them and protect sexual predators and other bad actors. This legislation acknowledges the realities of delayed disclosure and the long-term impacts of CSA, fostering an environment where survivors can heal and hold perpetrators accountable. Critically, H 5909 sends a strong message to would-be offenders that they will be held accountable, contributing to a safer environment for children today and preventing future abuse. Let us prioritize the well-being of survivors, take a step toward breaking the cycle of trauma, and protect our children now and in the future.



¹ Center for Violence Prevention Research, (2024, Nov. 15). “*Literature review on prevention of child sexual abuse*”, www.scienceofviolence.org.

² Stoltenborgh, Marije et al. “A global perspective on child sexual abuse: meta-analysis of prevalence around the world.” *Child maltreatment* vol. 16,2 (2011): 79-101. doi:10.1177/1077559511403920.

³ Nagtegaal, Maria H, and Cyril Boonmann. “Child Sexual Abuse and Problems Reported by Survivors of CSA: A Meta-Review.” *Journal of child sexual abuse* vol. 31,2 (2022): 147-176. doi:10.1080/10538712.2021.1985673.

⁴ O'Leary, Patrick J, and James Barber. “Gender differences in silencing following childhood sexual abuse.” *Journal of child sexual abuse* vol. 17,2 (2008): 133-43. doi:10.1080/10538710801916416.

⁵ Finkelhor, David, et al. “Sexually Assaulted Children: National Estimates and Characteristics.” *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children*, Office of Justice Programs, Aug. 2008, www.ojp.gov/pdffiles1/ojdp/214383.pdf.