



TESTIMONY IN SUPPORT OF HOUSE BILL 8086

House Committee on Judiciary

March 12, 2026

POSITION: FAVORABLE

Submitted by: Children's Justice Campaign at Enough Abuse

Dear Chairwoman McEntee and esteemed members of the Committee:

The Children's Justice Campaign at Enough Abuse submits this testimony in **strong support of House Bill 8086**, which would extend the criminal statute of limitations (SOL) for second-degree sexual assault to ten years from the date of the offense (or ten years from the victim's eighteenth birthday, whichever is later) and toll the criminal SOL for third-degree sexual assault until the victim reaches the age of majority. These reforms reflect a more accurate understanding of the complex nature of sexual violence and will provide victims greater opportunity to seek the justice they deserve.

I. The Science of Trauma and Delayed Disclosure Supports Criminal SOL Reform

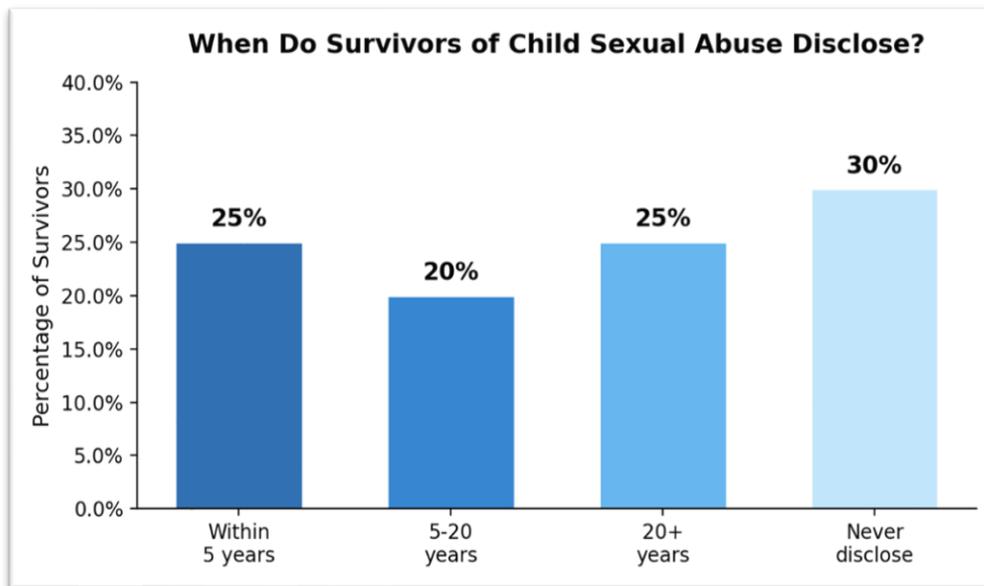
Child sexual abuse is a public health crisis of staggering proportions, with **approximately 1 in 8 children experiencing sexual abuse before their eighteenth birthday.**ⁱ These are not abstract statistics—they represent real children in Rhode Island's communities whose lives are forever altered by this trauma.ⁱⁱ

Survivors of sexual abuse carry the effects of that trauma throughout their lives. Research has established statistically significant correlations between childhood sexual abuse and chronic pain, sleeping disorders, obesity, anxiety, depression, suicidal ideation, eating disorders, and post-traumatic stress disorder.ⁱⁱⁱ The Adverse Childhood Experiences (ACE) Study—one of the largest investigations of the effects of childhood trauma—demonstrated a dose-response relationship between childhood abuse and long-term health outcomes, confirming that the effects of abuse are not attenuated or eliminated by the mere passage of time.^{iv} The damage caused by the perpetrator does not belong to the past. It continues every single day.

Critically, trauma affects the capacity for disclosure itself. Childhood sexual abuse disrupts the neural systems governing memory encoding, language production, and narrative coherence, the very cognitive functions required to report abuse to law enforcement.^v Disclosure is not a single event but a process—one that involves the survivor recognizing that what happened was abuse,



being willing to identify publicly as a victim, and deciding to act against their abuser. For many survivors, this process takes decades.



The data confirms what the science predicts. Studies show that 44.9% of male survivors and 25.4% of female survivors who eventually disclose do so more than twenty years after the abuse.^{vi} An estimated 70 to 95 percent of victims never report to police at all.^{vii}

This silence is not a failure of courage. It is the predictable neurobiological and psychological consequence of trauma, compounded by the shame, fear, and manipulation tactics employed by perpetrators and their enablers. Rhode Island's current three-year criminal SOL for second-degree sexual assault fails to account for these realities. A three-year window assumes that victims can process their trauma, identify publicly as survivors, and navigate the criminal justice system within 36 months. The science establishes that this assumption is fundamentally unreasonable.

II. Extending the Criminal SOL Is Scientifically Justified and Does Not Compromise Procedural Fairness

Opponents of criminal SOL reform argue that the passage of time weakens the ability of defendants to mount an effective defense. This concern does not withstand scrutiny.

Extending the SOL does not alter the burden of proof, which remains squarely on the prosecution. If there is insufficient evidence to carry that burden, the case does not go forward. The availability



and robustness of evidence do not necessarily hinge on the time elapsed since the offense. In sexual crimes, there are multiple categories of evidence that do not deteriorate with time:

EVIDENCE THAT DOES NOT DETERIORATE WITH TIME

Five categories of evidence in sexual offense cases remain probative regardless of elapsed time

01

Perpetrator Confessions

Offenders may acknowledge conduct years or decades later — to family members, clergy, therapists, co-defendants, or law enforcement

02

DNA & Forensic Evidence

Advances in forensic DNA profiling enable identification of suspects from biological evidence preserved or collected long after the offense

03

Graphic Materials

Photographs, recordings, and other materials documenting abuse persist indefinitely in both digital and physical form

04

Corroborating Victim Accounts

When multiple survivors independently identify the same perpetrator and describe similar patterns of conduct, their testimony is mutually corroborating

05

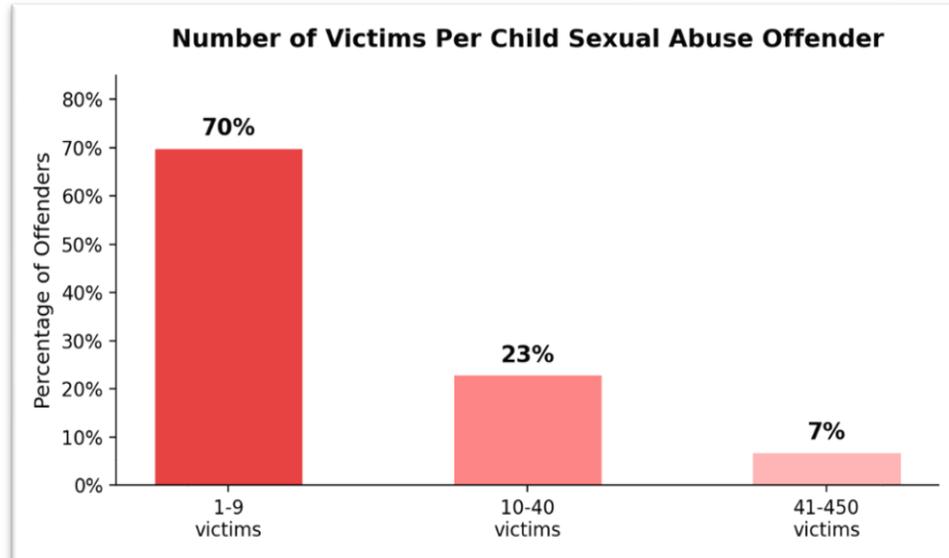
Documentary Records

Institutional records, personnel files, medical records, witness statements, prior complaints, and internal correspondence

The experience of other states confirms that the criminal justice system functions effectively under extended limitations periods. Rhode Island itself already imposes no SOL for first-degree sexual assault and first-degree child molestation sexual assault.^{viii} The procedural safeguards that protect defendants in those cases apply with equal force to second- and third-degree sexual assault. Extending the SOL does not diminish these protections, it simply gives victims more time to access them.

III. Criminal SOL Reform Is Critical to Public Safety Because Perpetrators Remain a Threat Throughout Their Lives

Unlike other categories of criminal offenders, the recidivism risk of child sexual abusers does not significantly decrease with the passage of time. A study of 91 child sex offenders found that 30% had 10 or more victims, 23% had committed offenses against 10 to 40 children, and 7% had committed offenses against 41 to 450 children. Fifty-five percent reported that their offenses became more serious over time, and the longest period between offense and conviction was thirty-six years.^{ix}



When short criminal SOLs prevent the state from prosecuting historical cases of sexual abuse, perpetrators are not convicted and they do not enter the sex offender registry, leaving predators free to access professional and volunteer positions that require close contact with children. Short SOLs function as a procedural loophole that undermines the effectiveness of every other piece of legislation aimed at protecting children and the public from sexual violence. This is a zero-sum proposition: denying victims justice correspondingly frees perpetrators to pursue more victims.

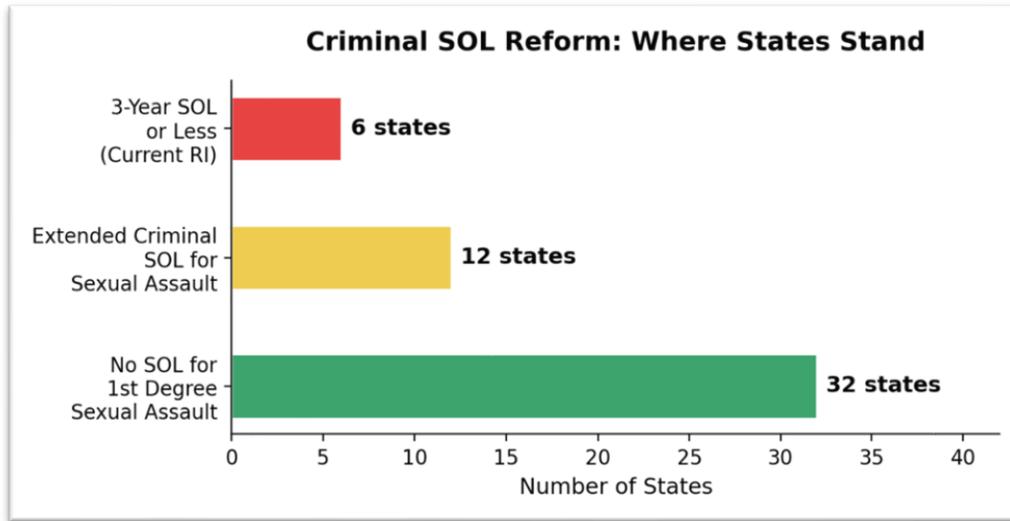
IV. H 8086's Provisions Are Carefully Tailored and Constitutionally Sound

H 8086 makes two targeted amendments to R.I. Gen. Laws § 12-12-17. First, it extends the criminal SOL for second-degree sexual assault from three years to ten years from the date of the offense, or ten years from the victim's eighteenth birthday, whichever is later. Second, it tolls the existing three-year SOL for third-degree sexual assault involving minor victims until the victim's eighteenth birthday. Under current law, a child victimized at age 14 would see the criminal SOL expire at age 17, before the child even reaches the age of majority. H 8086 corrects this anomaly.

These amendments are prospective—they extend the SOL for future offenses and offenses not yet time-barred. They do not revive expired criminal prosecutions and therefore raise no Ex Post Facto concerns.^x The legislature's authority to extend criminal SOLs for offenses not yet time-barred is well established.



V. Rhode Island Should Join the National Movement Toward Longer Criminal SOLs for Sexual Offenses



H 8086 would bring Rhode Island closer to the national consensus. The clear trend is toward extension or elimination of criminal SOLs for sexual offenses, particularly those involving children. Rhode Island already recognizes this principle for first-degree sexual assault. Extending the SOL for second-degree sexual assault to ten years is a modest, incremental step that reflects the same policy judgment the General Assembly has already made for the most serious sexual offenses.

Conclusion

By passing House Bill 8086, Rhode Island can help ensure that perpetrators of sexual violence are held accountable, that hidden predators are identified before they harm additional victims, and that the state's criminal justice system reflects the scientific realities of trauma and disclosure. In turn, Rhode Island's children will be better protected now and into the future.

Please do not hesitate to contact us if you have questions regarding this legislation or if we can be of assistance in any other way.

Respectfully submitted,



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ⁱ Finkelhor, Turner & Colburn, The Prevalence of Child Sexual Abuse with Online Sexual Abuse Added, 149 Child Abuse & Neglect 106634 (2024).

ⁱⁱ M. Stoltenborgh et al., A Global Perspective on Child Sexual Abuse: Meta-Analysis of Prevalence Around the World, 16(2) Child Maltreatment 79 (2011).

ⁱⁱⁱ Maria H. Nagtegaal & Cyril Boonmann, Child Sexual Abuse and Problems Reported by Survivors of CSA: A Meta-Review, 31(2) J. Child Sexual Abuse 147, 147–76 (2022).

^{iv} Vincent J. Felitti et al., Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study, 14 Am. J. Preventive Med. 245, 251 (1998); S.R. Dube et al., Childhood Abuse, Household Dysfunction, and the Risk of Attempted Suicide Throughout the Life Span, 286 JAMA 24, 3089 (Dec. 2001).

^v Bessel van der Kolk, The Body Keeps the Score: Brain, Mind, and Body in the Healing of Trauma 138–55 (2014); see also Hoskell, L. & Randall, M., The Impact of Trauma on Adult Sexual Assault Victims, Justice Canada (2019).

^{vi} Patrick J. O'Leary & James Barber, Gender Differences in Silencing Following Childhood Sexual Abuse, 17 J. Child Sexual Abuse 133, 138 (2008).

^{vii} David Finkelhor et al., Sexually Assaulted Children: National Estimates and Characteristics, Nat'l Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children, Off. of Justice Programs (Aug. 2008).

^{viii} R.I. Gen. Laws § 12-12-17(a).

^{ix} Michelle Elliott et al., Child Sexual Abuse Prevention: What Offenders Tell Us, 19 Child Abuse & Neglect 579 (1995).

^x See Stogner v. California, 539 U.S. 607, 611 (2003).