

TO: WISCONSIN STATE ASSEMBLY

FROM: MARC HERSTAND, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF SOCIAL WORKERS, WISCONSIN CHAPTER

DATE: OCTOBER 30, 2009

RE: STATEMENT IN FAVOR OF AB 453 - "THE CHILD VICTIM'S ACT"

The National Association of Social Workers, Wisconsin Chapter strongly supports AB 453, "The Child Victim's Act".

This bill removes the statute of limitations for civil causes of action based on the sexual assault of a child. It also creates a three year "window" for victims whose cases would otherwise be barred by the previous statute of limitations so that these victims will have an opportunity to achieve justice.

Sexual assault can have lifetime repercussions for the victim. Problems faced by victims of child sexual abuse can include depression, anxiety, guilt, shame, fear, sexual dysfunction, denial, selective memory, post traumatic stress disorder, eating disorders, suicide, substance abuse problems, and anxiety disorders. Because of these problems survivors may not report the assault for a very long time. They may suppress the memory of the experience. They may not be willing to take action against the perpetrator until years or even decades after the incident or incidents occurred. 1,2,3

In fact according to the 2005 National Crime Victimization Survey, more than 60% of sexual assaults are never reported to law enforcement.

Part of the healing from childhood sexual assault can be achieved by bringing the perpetrator to justice. By eliminating the statute of limitations for civil causes of action and by creating the three year "window" some victims who have never had a chance to bring action against their perpetrator can do so and at least partially repair the terrible psychological damage that occurred.

In addition this bill could result in identifying and punishing pedophiles who have never before been prosecuted. In California 300 previously unidentified pedophiles were identified as a result of a similar law as were 170 previously unidentified pedophiles in Delaware. The identification of these pedophiles may have prevented the sexual abuse of hundreds of children in those states.⁴ Assembly Bill 453 could have a similar impact in Wisconsin in protecting scores of children from sexual abuse.^{4,5}

I understand that there are some religious groups and organizations representing social service agencies that have concerns about additional liability they could face as a result of this legislation. Such liability issues could certainly be considered in a future bill. However it is our belief that the immediate and urgent need to protect children from pedophiles who might have never been brought to justice as well the need to support those victims of child sexual abuse who would like to finally bring their perpetrator to justice outweigh any liability concerns that could be addressed in the future.

Please vote to support AB 453, the Child Victim's Act.

1. <http://www.ncvc.org/ncvc/main.aspx?dbName=Documentview>

2. <http://www.apa.org/releases/sexabuse/effects.html>

3. www.health.columbia.edu/pdfs/dynamics_sexual_assault

4. <http://writ.news.findlaw.com/hamilton/20090611.html>

5. Testimony in Favor of AB 453, "The Child Victim's Act", presented by State Representative Joe Parisi to the Assembly Committee on Children and Families on October 21, 2009