

# For child sex abuse survivors, the path to justice closes too soon



## Your Turn

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Guest columnist

Twenty years ago, my partners and I achieved a historic settlement against the Archdiocese of Louisville on behalf of 243 men and women sexually abused during their childhood. In the months following the April 2002 filing of that lawsuit, these brave survivors stood tall before the cameras and shared their stories to an audience who initially refused to accept that these horrors were true.

By September 2002, after 100 survivors had stepped out of the shadows, our community could no longer deny the revelation: 34 priests, including one Kentucky bishop, abused many hundreds of children over 50 years.

Because the Archdiocese of Louisville settled but did not admit liability, our community was left to see if our justice system could prevent further horrific abuses of children.

In 2003, the time limit for people in Kentucky to sue over abuses occurring during their childhood was age 19. Only one exception to this rule existed: a victim could bring suit against the employer of a predator after the time limit only if the employer fraudulently concealed their employee's history of abuse. After 2003, minor extensions were made to this time limit allowing adults abused as children to file by their 28th birthday. Today, the fraudulent concealment exception no longer applies to extend this statute of limitations.

## Child sex abuse survivors rarely disclose before adulthood

While the Legislature was proud of this achievement, it completely ignored social science: until child survivors



Stained glass windows inside St. Ann Catholic Church in Hagerstown, Md. HERALD-MAIL FILE

reach middle age, few are ready to tell their stories. Our experience in 2003 representing middle-aged survivors and young adults confirmed that breaking the ice of silence is a slow process.

Sadly, our laws do not recognize this broadly-accepted fact.

Today, survivors who were abused in their 20s, and are now in their 40s only just now gathered the courage to come forward and seek legal remedies. Unfortunately, I have to watch their tears fall as I explain that survivors had only until age 28 to file suit against the Archdiocese.

You can imagine the anguish when, after years of gathering the courage to

speak, a survivor discovers their path to justice has been closed for good.

## Statutes of limitation rob survivors of justice

Since the beginning of our nationwide awareness of the Catholic priest child sexual abuse crisis, many predominantly Catholic communities have lobbied their legislatures to abolish the statute of limitations in child sexual abuse cases. But the perpetrators are smart and cunning. They are well aware of the statistics proving that most victims will live their early to mid-adult lives in silence. This is proven true in my

interviews of thousands of victims over the last 20 years.

When deciding the fate of the statute of limitations in cases of child sexual abuse, our Legislature must ask itself a simple question: what does it value most? The lives of child victims, or the riches of immense institutions?

Only by eliminating the statute of limitations can we hope to restore the dignity of those most wronged among us.

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