



TO: The Honorable William C. Smith, Jr., Chair
Members, Senate Judicial Proceedings Committee

FROM: Wendy Lane, M.D., MPH, Chair, Child Maltreatment and Foster Care Committee, Maryland Chapter of the American Academy of Pediatrics

DATE: January 29, 2021

RE: **SUPPORT** – Senate Bill 134: *Civil Actions – Child Sexual Abuse – Definition and Statute of Limitations*

The Maryland Chapter of the American Academy of Pediatrics is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of support for Senate Bill 134: Civil Actions – Child Sexual Abuse – Definition and Statute of Limitations.

Senate Bill 134 would eliminate the statute of limitations in civil actions related to child sexual abuse. In 2017, this statute of limitations was extended to 20 years from the age of majority from 7 years from the age of majority – i.e. from age 25 to age 38 years. Unfortunately, it also raised the standard of proof to sue employers from ordinary negligence to gross negligence, making it much more difficult to sue institutions for failure to protect children in their care from sexual abuse.¹ This current bill would completely eliminate the statute of limitations, and the gross negligence requirement.

We know from extensive research that sexual abuse can have profound and long-lasting, even lifetime-long negative effects on children. During childhood, victims may exhibit anxiety, social withdrawal, school failure, and inappropriate sexual behavior.² In adolescence, sexually abused teens are at increased risk for depression, self-injury, suicide attempts, eating disorders, risky sexual behavior, and teen pregnancy.³ Adults who experience child sexual abuse and exploitation are more likely to have alcohol and/or drug dependence, chronic abdominal and pelvic pain, and poor overall health.⁴ Women who have been sexually abused spend more on health care costs, and are more likely to rely on welfare for income.³

¹ <https://www.baltimoresun.com/news/opinion/oped/bs-ed-op-1012-abuse-victims-redress-20171011-story.html>

² Trickett PK, Noll JG, Putnam FW. The impact of sexual abuse on female development: Lessons from a multigenerational, longitudinal research study. *Development & Psychopathology*. 2011;23:453-476.

³ Homma Y, Wang N Saewyc E, Kishor N. The relationship between sexual abuse & risky sexual behavior among adolescent boys: A meta-analysis. *Journal of Adolescent Health*. 2012;51:18-24.

Sanci L, Coffey C, Olsson C, Reid S, Carlin JB, Patton G. Child sexual abuse & eating disorders in females. *Arch Pediatr Adolesc Med*. 2008;162:261-267.

Pallitto CC, Murillo V. Abuse as a risk factor for adolescent pregnancy in El Salvador. *J Adolescent Health*. 2008;42:580-586.

Mills R, Alati R, O'Callaghan M. Child maltreatment and adolescent mental health problems in a large birth cohort. *Child Abuse & Neglect*. 2013;37:292-302.

⁴ Fergusson DM, McLeod GFH, Horwood LJ. Childhood sexual abuse and adult developmental outcomes: Findings from a 30-year longitudinal study in New Zealand. *Child Abuse & Neglect*. 2013;37:664-764.

Delayed disclosure in child sexual abuse is extremely common.⁵ Children commonly wait months and even years before disclosing. There are numerous reasons for this delayed disclosure. Victims will frequently cite shame, fear of social stigmatization or ridicule, and fear of not being believed. Perpetrators of sexual abuse may threaten the child or family with physical harm or may threaten the child that she will be taken away from her family. Perpetrators often blame the child for the abuse, and the child internalizes this self-blame. Abused infants, toddlers, and other very young children may not understand that what is going on is abuse. And finally, a child may attempt disclosure to an adult who is distracted, disbelieving, or in denial, and no further action is taken. For all these reasons, children may tell no one for decades.

As noted above, adults who were sexually abused as children are often left with long-term physical and mental health problems that can be extremely costly. Under current law, adults who were abused as children are often left with no legal remedy, and no way to make them whole. Elimination of the statute of limitations would allow adults who were sexually abused as children to seek justice for the harm that they have suffered. For these reasons, MDAAP strongly urges a favorable report.

⁵ Munzer A, Fegert JM, Ganzer HG, Loos S, Witt A, Goldbeck L. Please Tell! Barriers to disclosing sexual victimization and subsequent social support perceived by children and adolescents. *J Interpersonal Violence* 2016;3:355-377.