

Testimony in support of Senate Bill 134
Civil Actions – Child Sexual Abuse – Definition and Statute of Limitations
SUPPORT

From: Sarah Conway
Date: February 2, 2021

To: Hon. William Smith Jr., Chair, and members of the Senate Judicial Proceedings Committee
Thank you for the opportunity to share my testimony with you in support of SB134.

I'm a longtime Annapolis resident and survivor of sexual abuse by teachers at The Key School. Last year a Baltimore law firm retained by Key, completed an independent investigation into abuse at my school. They concluded that at least 10 people in positions of authority sexually exploited 16 or more students. And even more importantly, they concluded that in all but one of these cases, others in the School community (including faculty, staff, administrators, and board members) were aware of the abuse and chose to remain silent rather than to intervene or report it. In my case, I was 14 when my two teachers singled me out for special attention. After creating a bond, gaining my trust and affection over many months, the sexual abuse started. It lasted for more than a year.

So why do we need a look back window? Because coming forward is tremendously difficult and even when a survivor reports, in the past or now, it does not assure justice.

The civil statute of limitations expired for me at 21 when I still had few words for the pain and confusion I felt. I was not yet strong enough to stand up against my entire school and enter the unknown world of police and courts. My parents were devastated and tried to take action at the time, but the school only shrugged. And when my mother consulted the AACo. State's Attorney, he strongly dissuaded her from contacting law enforcement. With nowhere to turn, my parents suffered terribly and soon separated.

In **1993**, Key School honored one of its most prolific abusers with a memorial service. Many of the attendees were Key teachers, administrators, and board members. When I stood up before the group and shared my story of abuse, I was met with silence—and later victim blaming. The headmaster denied the school had any institutional responsibility and hoped I would keep it quiet.

In **1997**, I met with police and gave a detailed accounting of my abuse and how common it was at Key. Yet no investigation was ever done. In **2018**, I was interviewed again.

Many who are arguing against the bill will say that “because there is no statute of limitations on felonies in Maryland” victims should seek justice in criminal court. But when I was 14, I was penetrated every which way by my teacher who still lives here in

Anne Arundel County. Yet, I continue to be told by law enforcement that they can't proceed because they are unsure whether those acts were felony crimes at the time.

Being turned away, silenced, and shamed by the school and law enforcement is the very definition of institutional betrayal. And research now shows institutional betrayal magnifies the harm caused by sexual abuse. It increases anxiety, PTS symptoms, sexual dysfunction and dissociation.

If institutions are causing real, measurable harm not only by allowing the abuse to occur but by silencing the victims, why shouldn't victims be empowered with the lookback window to hold them accountable for that harm?

For these reasons, I urge a favorable committee report and passage of the Hidden Predator Act (SB134) without amendments..

When a child is sexually abused within the context of a trusted institution, such as a school or church, the way the institution responds is predictive of how the child will fare. The institution's response has the power exacerbate or mitigate the harm of the original trauma. When institutions respond with denial, silencing, shaming, or ostracization, the child experiences this breach of trust as a profound betrayal that research shows causes psychological and even physical harm.

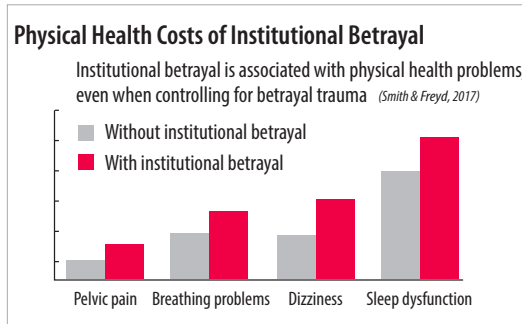
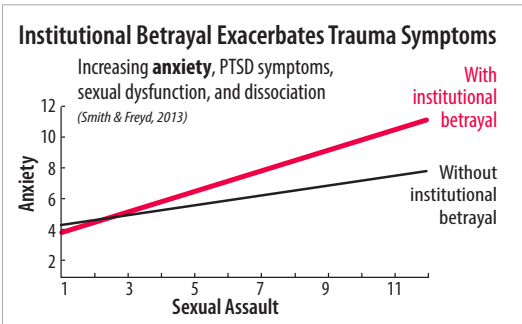
Institutional Betrayal

All too often, institutions fail the very people they should protect.

Institutional betrayal is a concept described by psychologist Jennifer Freyd referring to “wrongdoings perpetrated by an institution upon individuals dependent on that institution, including failure to prevent or respond supportively to wrongdoings by individuals (e.g. sexual assault) committed within the context of the institution.” In a landmark study, Carly P. Smith and Jennifer Freyd (2013) documented psychological harm caused by institutional betrayal. When institutions cover up violations such as child sexual abuse, this institutional betrayal undermines survivors’ recovery, increasing anxiety, PTSD symptoms, sexual dysfunction, and dissociation.

Common examples

- Failure to prevent abuse
- Normalizing abusive contexts
- Difficult reporting procedures
- Inadequate responses
- Covering up the abuse
- Denying the abuse
- Punishing the child
- Suggesting the child's experience might affect the reputation of the institution
- Creating an environment where the child no longer feels like a valued member of the institution
- Creating an environment where continued membership was difficult for the child.



Institutional DARVO is a particularly aggressive form of institutional betrayal.

DARVO stands for “Deny, Attack, and Reverse Victim and Offender.” It refers to a reaction perpetrators of wrongdoing, particularly sexual offenders, may display in response to being held accountable for their behavior. The perpetrator or offender may Deny the behavior, Attack the individual doing the confronting, and Reverse the roles of Victim and Offender such that the perpetrator assumes the victim role and turns the true victim, or the whistle-blower, into an alleged offender. **DARVO not only exacerbates the original harm, it also inflicts another entirely separate one — often in ways that are ongoing in the victim’s life.**

This short video is a powerful depiction of institutional betrayal in action with aspects of DARVO



Copy link into your browser: <https://vimeo.com/337408766>

Institutional betrayal is a factor in why victims may delay reporting sexual abuse. While reporting can lead to a good outcome, **reporting is risky.** A bad response can make things worse for the victim. A bad response can be a new betrayal trauma. Often times survivors hold off reporting until they are strong enough to weather the blowback of an unsupportive response.