

TESTIMONY IN SUPPORT OF SB 686  
Civil Actions – Child Sexual Abuse – Definition, Damages, and Statute of Limitations  
(The Child Victims Act of 2023)  
\*\*SUPPORT\*\*

TO: Hon. William C. Smith, Jr. Chair, and members of the Senate Judicial Proceedings Committee

FROM: Jennifer Gross (Licensed Certified Social Worker – Clinical, MD, Certified Sex Offender Treatment Provider, VA, Clinical Member, ATSA)

DATE: February 23, 2023

As parents, as advocates and as lawmakers, we surround our children with people we trust to protect them. When a child is sexually abused, 9 times out of 10 it is that very person we trusted and thus entrusted our child to who committed this horrific abuse upon them.

When a child is abused by someone we told them was safe, a child naturally blames themselves for what happened as they believe they must have done something to deserve it. When the abuser is a leader in the child's community, the damage is compounded as that place, that organization, that religion, that group often cannot be avoided. Perhaps the abuser can be, but what they represent, a church, a youth group, a sport cannot be. Over the years, interactions with those groups cause further pain.

By the time a child realizes what happened was not their fault, they did not deserve it and they gather the courage to tell us what caused them such pain for so many years, what was behind their drinking, failed relationships, suicide attempts and more, by that time most people are 52 years old.

Imagine then, reaching out, telling and seeking help, only to learn there are far worse things than being abused by that one person. What can be worse than knowing one person viewed you as an object to be used, abused and discarded? What can be worse than knowing one person viewed you not as a human, worthy of dignity and love but viewed you as a thing to be used for their own deviant pleasure. What can be worse than that? What survivors tell us what is worse is when they tell, when they seek understanding and kindness, the very people they turn to then commit a betrayal of greater order. The very organizations which were founded to help, serve and protect then turn with vengeance to protect, not the victim, but themselves. They lie, they hide, they dissemble; thus mimicking the perpetrator's use of power, control, blame shifting and more, thus they revictimize the victim.

Imagine, then being that survivor. Now you learn it was not just your abuser who does not see you as a human being, worthy of dignity and respect. Now you see it is an entire organization, a system, an institution. One person treating you like trash is damaging, an entire organization treating you like trash? This is institutional betrayal and it is abuse. It is devastating.

We stand before you today to ask you to open a door. That's all, just open a door to allow survivors to walk through and seek justice. We are not asking you to deliver that justice. This bill does not ask you to do anything other than open a door so adults can step through and access the legal system to seek healing and safety. If you open that door, all you are doing is giving survivors the ability to tell their story and let our justice system take over from there. That's all.

Abusers prey upon the innocence of children. When those abusers do so as employees or volunteers of an organization, far too often, when the abuse becomes known the institution chooses to protect itself instead of the child. Children cannot protect themselves from either of these things from occurring. Children cannot. But adults can. Pass this bill so brave survivors can tell their story and seek justice. By doing so, this creates safety for the children still in the care of those abusers (many of whom are still alive) and from those institutions who sheltered and protected them.

You have heard from powerful groups that opening that door will have calamitous effects upon groups and communities. To that I say, nonsense. Plain and simple nonsense. Do not allow them to insult your intelligence.

I am a parent, a social worker, a certified sex offender treatment provider. I am the mother of 2 former boy scouts. I am a Catholic, a direct decedent of Archbishop William Gross. I am a former Director of Safe Environments for a nearby diocese. I am the former chair of a Catholic regional review board, a board that reviewed allegations of clergy abuse and reviewed safety plans and victim outreach. I currently volunteer to teach the Catholic church's mandatory prevention class. I am here to tell you in no uncertain terms, it is not extending the statute of limitations which will hurt the church. The church, the boy scouts and other organizations have inflicted this damage upon itself. It is not the original abuse committed by clergy or a leader which is causing the damage, it is the coverup, the duplicity, the ongoing efforts to protect the institution and not those who serve. When powerful organizations continue to engage in subterfuge and secrecy, when they make veiled threats of lost funding for programs, they are committing further abuse upon not only survivors but all of us. It is time for that to end. As a Catholic, deeply involved in this issue, I am urging you to remove the statute of repose and pass this bill as written. Shamefully, my church has only taken steps to reform and protect when pressured to do so by survivors, lawmakers and the media. So be it. They had their chance to do the right thing, they chose not to. They chose to ignore a problem, they chose to cover up an issue. They chose to move danger around. They have done this to themselves. I urge you to open pass the bill and let survivors walk through to seek justice for themselves and safety for our children. Let them now face those once powerless children, those children who are now adults, who can now speak for themselves, defend themselves, protect themselves. Let the church, the scouts and all others now go toe to toe with adults. They made their choices. Let them now face

the consequences. By doing so you will be sending a loud and clear message, you will not allow this Institutional betrayal and abuse to continue.

For these reasons, I urge a favorable committee report and passage of SB 686 without amendments.