



NEW YORK STATE SENATOR

Catharine Young

Op-Ed by Senator Young: The Legislature Needs to Help All Child Sexual Abuse Victims

[Catharine Young](#)

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Child sexual abuse is a horrific crime that violates the most innocent among us. As a parent and as a legislator, it both angers and saddens me that so many young lives are devastated and left permanently scarred by these despicable acts.

Just as horrific as the nature of the crime is its prevalence. An estimated one in four girls and one in six boys will be the victims of sexual abuse. Unlike other categories of crime, the perpetrators of child sexual abuse are not strangers lurking in the alley. In fact, these predators are exactly the opposite – tragically, they are family members in about 80 percent of cases.

Despite this, State Senator Brad Hoylman and his colleagues continue to sell the fiction that their proposed Child Victims Act is the panacea for all child sexual abuse victims seeking monetary justice through civil court action.

While high-profile cases and multi-million dollar settlements brought against institutions like the Catholic Church, and the Boy Scouts make headlines, the reality is that institutional sexual abuse accounts for only a fraction of child sexual abuse cases. These are the only victims who would benefit from Senator Hoylman's Child Victims Act.

As for the other 80-90 percent of victims abused by family members, neighbors or acquaintances who lack the means to pay civil damages? This bill would do nothing for them.

That is why we came up with a different solution.

The Child Victims Reconciliation and Compensation Fund will help ALL time-barred individuals suffering from the effects of child sexual abuse. No exceptions.

Child sexual abuse survivor and advocate Gary Greenberg has come out in support of our legislation noting that it is a "comprehensive and important bill that will give compensation and justice to victims and out predators..."

The Compensation Fund will be established using \$300 million of the whopping \$730 million cache of criminal asset forfeiture funds currently held by the Manhattan District Attorney's office. Administered and overseen by the New York State Comptroller and a chief administrator, the process encompasses a hearing and review process facilitated by hearing officers experienced in sexual abuse cases with award determinations set by the claims administrator. Abusers will no longer be able to hide behind a wall of secrecy as their identities and crimes will become public knowledge as part of this process.

Particularly important, this expedited and streamlined compensation process will spare victims from waiting years for civil cases to work their way through the courts and protect them from the often re-traumatizing process of a trial. It also offers the assurance of an award. When victims receive civil judgements against family members or other non-institutional abusers, the likelihood of the victim actually collecting those funds is low.

Delivering justice for victims also means opening the door to criminal prosecution. These crimes are often shrouded in shame, confusion and silence that can take decades for victims to confront. When they do, they often find that the criminal statute of limitations has expired. This measure removes the criminal statute of limitations to ensure that victims can bring charges at any time and put these monsters behind bars where they belong.

The courageous survivors who are spearheading action on this issue are heroes. Their stories have convinced me that we need to help all victims affected by this devastating crime. However, in continuing to play partisan politics rather than working towards a realistic solution, Senate Democrats are leaving victims in the cold.

The session clock is running out. The time to act is now.

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