



CONNECTICUT
TRIAL LAWYERS
ASSOCIATION

Committee Bill No. 3
Public Hearing: 4-1-19

TO: MEMBERS OF THE JUDICIARY COMMITTEE
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)
DATE: APRIL 1, 2019

**RE: AN ACT COMBATTING SEXUAL ASSAULT AND SEXUAL
HARRASSMENT”**

The Connecticut Trial Lawyers Association urges you to support Committee Bill No. 3, Section 19.

The mission statement of the CTLA is in part “to preserve and protect access to the courts and jury system of this state and this nation.” Section 19 of Committee Bill 3 is consistent with that goal. Committee Bill No. 3 would provide a limited window of opportunity for those people who were sexually abused as children whose claims are now time barred to seek some measure of justice.

Survivors of childhood sexual abuse all heal at different rates. Under Connecticut’s current law, a person who is able to come to terms with their abuse by the age of forty-seven can seek justice. However, the person who endures the exact same abuse and is not able to come to terms with what happened until after the age of forty-eight, cannot seek justice. The CTLA respectfully suggests that the age of forty-eight is simply an arbitrary number at which to cut off the time frame that a person has to pursue a claim. Committee Bill No. 3 would eliminate that arbitrary quality by allowing victims going forward to pursue a claim at any point they are strong enough to do so. Further, it would allow those victims who are time barred a limited opportunity now to seek justice.

Connecticut is certainly not alone in considering this type of legislation. Just three months into the 2019 calendar year, thirty-three states as well as Washington, D.C. are considering legislation to amend the statute of limitations for childhood sexual abuse. (Alabama, Arizona, California, Connecticut, Florida, Georgia, Hawaii, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oregon, Long Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Washington D.C.)

2019 has already seen reform legislation enacted.

In January, 2019 New York’s General Assembly passed a law which would allow survivors of sexual abuse whose claims are time barred a one-year window of

opportunity to pursue their claims. That legislation passed through the New York General Assembly by a vote of 130 to 3. It passed the Senate chamber in New York by a vote of 63-0. New York and other states have recognized that providing a window of opportunity for those whose claims would otherwise be time barred is a good thing.

Earlier this year, Washington D.C. passed a two-year revival window.

California, in 2003, passed legislation allowing a one-year revival window. In 2007 Delaware passed legislation allowing a two-year revival window. In 2013 Minnesota passed a three-year revival window. In 2018 Hawaii passed a two-year revival window.

It is time that Connecticut joins these other states and Committee Bill No. 3, section 19 allows that.

Committee Bill No. 3 allows victims of one of society's most heinous crimes an opportunity to seek justice and redress. It provides a limited opportunity for those whose claims have expired to pursue them. In addition, it guarantees going forward that other victims of sexual abuse will not face these same challenges.

Committee Bill No. 3 would hold perpetrators and institutions who allow the abuse to be held accountable.

CTLA urges your support with one small modification to the language. In Part (b) of Section 19 we urge elimination of the words "or before". Those two words would arguably defeat the purpose of the legislation which is to allow victims whose claims have expired a window of opportunity to hold the perpetrators and the institutions who enabled them responsible.

**FOR THESE REASON CONNECTICUT TRIAL LAWYERS ASSOCIATION
SUPPORTS COMMITTEE BILL NO. 3, SECTION 19. Thank You.**