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Revisions to Bill #: S.B. 3

Good Morning Chairmen and Members of the Judiciary Committee,

I am Jeremy Visone, of Cromwell, CT, and I agree with and support revisions to **S.B. No. 3 AN ACT COMBATTING SEXUAL ASSAULT AND SEXUAL HARASSMENT**. Let me state upfront that I am in support of *completely eliminating the statute of limitations on first-degree sexual assault*, or rape, so as to assist future victims, and I am in favor of *enacting a “reviver statute” or “look-back window” that will allow victims for whom the statute of limitations has already expired a chance for long-overdue justice*. I also ask you to consider *extending the age limit for this “look-back window” to those victims who were up to 25 or 30 years old at the time of the crime*.

First, let me thank the legislators who raised this bill with provisions about the statute of limitations for sexual assault. I implore you to right a wrong in our present state statutes with respect to sexual assault. I have a vested interest in this subject because my beautiful wife shared with me in 2017 that she was raped 22 years before in the summer of her 19th birthday.

In Connecticut, the statute of limitations for sexual assault is an insulting 5 years, the third shortest in the nation. This is an antiquated and outdated provision that does nothing more than protect perpetrators of this heinous crime. Like murder, for which there is no statute of limitations, the egregious and vile act of violating another human being by physical penetration against her will should not be a crime that ceases to be a crime once a period of time goes by.

*Given everything we know now* about how most women who are sexually assaulted do not report their victimization to *anyone*, let alone the police, why would we want to create a system that says that there is nothing that can be done when a woman *finally gets the courage to come forward*? This is what is now happening with the watershed #MeToo movement. Women who have long been ashamed and afraid to speak out about their victimization are now coming forward with horrific and tragic secrets that they have kept to themselves for years or even decades. In at least 20 states, according to the National Center for Victims of Crime, these brave victims are being greeted by a judicial system that is giving them a safe space to share their traumatic experiences and potentially achieve justice. This sends a message that “We believe you.” and “You are not alone, and you do not need to feel ashamed, anymore.”

But not in Connecticut. *Not in progressive Connecticut*. Instead, women like my beautiful wife, who have suffered in shame and silence for all these years are now being told, “It is great that you are brave, but, legally speaking, you needed to be brave a long time ago.” This is *wrong*, and I am asking you to fix this injustice.

First, I support what many states have done already--*eliminate the statute of limitations for first degree sexual assault*. What I am asking for is presently the law on the books in many other states and, as such, is not revolutionary or even novel. It is common sense, and it is being done across this country, in red and blue states, alike. And further, given this unique and special time that we now find ourselves in, we need to give the women who are being courageous enough to now share their long-held secrets something they have never had--*hope*. To that end, secondly, *I ask that we provide a grace period, via a “reviver statute” or “look-back window,” during*

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*which any victims of sexual assault, even those outside the previous statute of limitations, can come forward and be given the opportunity to recount their tragic victimization in a police station and/or court of law.* “Reviver statutes” are also not novel. In 2003, California, in the wake of the Catholic Church abuse scandal--a similar watershed moment in our society--enacted a reviver statute. Three other states followed suit. As a result, hundreds of victims got justice, and countless criminal abusers were finally so justly held accountable.

The present language in the bill provides such a “look-back window” for those victims assaulted as *minors*. I implore you to raise the age limit for this look-back window to 25 years old or even 30 years old. First, recent research by Professor Peter Jones of Cambridge University confirms what has been studied and argued in the past--that humans are not yet mature adults until into their 30s. In other words, our legal--and *arbitrary*--cutoff of 18 years of age for a “minor” is too young of an age to expect a rape victim to adequately process and deal with her situation. My wife was turning 19 the summer she was raped. She was a kid. As a college student, who lived at home with her parents, she was scared and did not know what to do. So, she did what so many young victims do: she repressed the memory and pain to survive. Further, we know *so many young women are sexually assaulted during their college years*. Most of these young women are too old to be considered minors. Why would we want to leave behind these many victims when considering this “look-back” period? I would advocate that a “look-back” period should not consider age, at all, as rape is an extremely personal and psychologically damaging event. However, *if there must be an age cutoff in the name of compromise, why not 25 years old, or even 30 years old?* Let these women, who were young women when they were raped, have a chance at justice, too.

One issue that my wife and I have encountered since her secret has become public is that many in our society give no weight or credibility to victims like my wife. They say, “But where is the evidence?” This is a circular logic spiral that victims can never win, since, under the existing statute of limitations, *the police will not investigate the crime*, resulting in *no hope of there being evidence* or an arrest to give credibility to victims. Even if the victim provides evidence, without the validity provided by police action, she is not taken seriously. Further, some have suggested that victims should be careful about the possibility of legal consequences brought upon by perpetrators’ litigious responses regarding libel or slander. The thought that a *rapist* could actually claim to be the victim while the real victim suffers and attempts to tell her story is disgusting. But, we can close this loophole by allowing the law to work for *victims*, giving them a safe means to tell their stories and provide a pathway, via investigation, for justice.

Some might argue that these changes might overburden our judicial system, with many women reporting incidents from long ago, with witnesses who have forgotten facts or evidence that has long been destroyed. First, *the victims have not forgotten*. The emotional scars, therapy, and long list of symptomologies, that for my wife includes no less than panic attacks, depression, anxiety, anger management issues, etc., speak to the certainty that this *heinous crime* is not one easily forgotten by those victimized. Those whose lives have been so deeply affected deserve the chance to safely call out the cowards who hurt them in a court of law. Even if the prosecution’s case is not strong, they deserve to call out a rapist *publicly*, without any concern for the length of time that has passed. Many women have still not come forward, in spite of all the media

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attention, simply because they wonder “Why bother?”, now that the statute of limitations has expired. This is a real problem, especially in the case of serial rapists whose actions have spanned decades. The public has a vested interest in gathering ALL allegations of misconduct. Where the evidence is weak for one victim, perhaps it is stronger for another victim of the same perpetrator. Thus, we might achieve justice for our society and these women when we use their strength in numbers. In addition, again, about 20 states presently have no statute of limitations, already, and they are not overburdened with allegations. For those concerned about false allegations--that men’s lives will be ruined by false reports--I will remind you what research consistently proves--that *false reports are rare*. A 2010 study by Lisak et al. puts this number likely in single digits. We simply cannot leave all these victims behind for relatively few instances of false reports, which occur across all types of crimes, I might add. Further, women have little incentive to make such a false report, as they are regularly scrutinized and raked across the coals when they are brave enough to come forward.

Thank you for your time and attention to this worthy cause--that of *justice for victims who have been silenced for too long*. Let them be empowered to have their chance at justice. We humbly ask that you give my wife a chance--a *chance*--to hold the individual who raped the teenage version of her accountable. Thank you.