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TESTIMONY of the MAINE TRIAL LAWYERS ASSOCIATION
IN SUPPORT OF
LD 1790, An Act To An Act Removing the Statute of Limitations on Criminal and Civil Actions Involving Sexual Abuse of Minors
May 10, 2023
Judiciary Committee

Senator Carney, Representative Moonen, and Honorable Members of the Judiciary Committee, the Maine Trial Lawyers Association extends its support of LD 1790, An Act Removing the Statute of Limitations on Criminal and Civil Actions Involving Sexual Abuse of Minors.

No one is safe if perpetrators of sexual abuse are unaccountable. All victims of sexual abuse should be able to hold their abusers accountable, especially when an unfair power differential, coverups, malfeasance, and/or sexual exploitation contributed to their injury.

LD 1790 would allow civil claims by survivors of sexual exploitation of a minor to come forward without regard to when such abuse occurred, and it would allow the prosecution of crimes for sexual exploitation and sexual abuse without time-limitations. This would expand the removal of the statute of limitations for civil claims arising from child sexual abuse that was passed in 2021 law. That would be an incredibly helpful change for victims to come forward.

The nature of child sexual abuse injuries frequently results in victims not coming forward for years or decades because of the psychological injury and victims' survival instincts.

This legislation is timely because child sexual abuse was not widely reported and known to be as prevalent when the current law and statute of limitations was enacted as it is today. The past two decades have brought to light both major abuses and abusers. The legislature didn't have the information that we have now to be able to write a trauma-informed law.

The average age of adults reporting sexual abuse as a child is 52 years old. Victims should not be prohibited from seeking justice when child sex abuse was going unchecked for years because society favored silencing victims and didn't understand the psychology behind the trauma of children repressing sexual abuse or fear of coming forward. There is a major power imbalance when a child is abused, and they are pressured to keep quiet by their abusers.

The committee should be aware of and take steps to clarify as much as possible that the civil claims statute of limitations removal would apply to all those who contribute to the sexual abuse occurring, including enabling employers of the CSA and exploitation, and not just the perpetrator. However, the criminal statute of limitations proposal likely applies only to the perpetrator.

We urge the committee to support LD 1790. Thank you.

