

103^D CONGRESS
2^D SESSION

H. CON. RES. 200

Expressing the sense of Congress in support of efforts to provide justice for adult survivors of childhood sexual abuse.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1994

Mrs. SCHROEDER (for herself, Mrs. MORELLA, and Mr. REED) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Expressing the sense of Congress in support of efforts to provide justice for adult survivors of childhood sexual abuse.

Whereas childhood sexual abuse is a deplorable violation of the rights of some of our most vulnerable citizens, is unacceptable in a civilized society, and must be addressed by appropriate legal sanctions;

Whereas the Congress has a substantial interest in the safety and welfare of children in this country;

Whereas childhood sexual abuse is a pervasive national problem, with research indicating that between 11 and 62 percent of American females and between 3 and 22 percent of American males are sexually abused during childhood;

Whereas childhood sexual abuse inflicts devastating physical and psychological injuries on its victims, often of a permanent nature;

Whereas traditional applications of statutes of limitations have barred victims of childhood sexual abuse from access to the courts to seek legal redress;

Whereas the operation of many State statutes of limitations fosters the belief among perpetrators that society protects them from any civil or criminal liability for sexually abusing children, undermining society's interest in deterring sexual abuse;

Whereas the worst perpetrators often escape punishment because the trauma of childhood sexual abuse typically causes effects such as denial, repression, and disassociation, which prevent the victim from remembering the abuse or recognizing its injurious effects until many years after the abuse has occurred;

Whereas fewer than half the States currently permit survivors of childhood sexual abuse to bring civil suits within a reasonable number of years after the survivor discovers the connection between the abuse and the injuries it has caused;

Whereas some States continue to apply a doctrine of parental tort immunity that prevents survivors of incestuous childhood sexual abuse from bringing civil suits against the abuser;

Whereas permitting survivors of childhood sexual abuse reasonable access to the civil courts will permit such survivors to obtain legal redress, punish and deter acts of abuse, and signal society's refusal to condone such abuse; and

Whereas the Congress will not tolerate the sexual abuse of children, and is determined to ensure that those who sexually abuse children are held accountable for their actions: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That—*

3 (1) it is the sense of Congress that—

4 (A) unduly short State statutes of limita-
5 tions infringe upon the procedural due process
6 rights of adult survivors of childhood sexual
7 abuse who become aware of the harm of child-
8 hood sexual abuse later in life by denying them
9 access to the courts;

10 (B) the States and the District of Colum-
11 bia should enact comprehensive legislation that
12 affords victims of childhood sexual abuse access
13 to civil courts and should consider legislation al-
14 lowing criminal prosecution based on the evi-
15 dence offered by adult survivors of such abuse;
16 and

17 (C) the Attorney General should cooperate
18 with and assist adult survivors of childhood sex-
19 ual abuse, and gather data on State activities
20 in this area, including the need for Federal leg-
21 islation because of the States' failure to act
22 with respect to such abuse; and

1 (2) not later than 2 years after the date of the
2 adoption of this concurrent resolution, the Congress
3 commits itself to revisit the question of the adequacy
4 of State law to protect the rights of adult survivors
5 of childhood sexual abuse and to protect society's in-
6 terest in deterring such abuse through the criminal
7 justice system.

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