

Child Victims Act would remove statute of limitations for abuse victims

February 1st deadline for filing sex abuse claims against Milwaukee Archdiocese



Chip Brewster FOX6 Reporter

8:16 p.m. CST, November 22, 2011

WITI-TV, MILWAUKEE—

The Penn State football team takes on the [Wisconsin Badgers](#) this weekend, and Wisconsin lawmakers are hoping to use the Penn State child sex abuse incident that rocked the campus recently, to launch their own child sex abuse reforms. They're hoping to pass the Child Victims Act that would wipe away the statute of limitations in these cases, and allow victims to prosecute their abusers.

Under current law, the statute of limitations says anyone over the age of 35 cannot sue their childhood attackers. The new law would change that, and allow victims to prosecute their abuser and begin the healing process. In early 2010, the act came up for discussion, but never made it to a vote. The most notable objection against this law came from Milwaukee's Archbishop, who claimed resulting lawsuits would send the Archdiocese into bankruptcy. However, even without

the law, the Archdiocese filed for Chapter 11.

A February 1st deadline has been set for filing claims against the Archdiocese as part of the bankruptcy deal, so if the act doesn't pass by February 1st, people over 35 may not be able to sue the Archdiocese. The Child Victims Act may actually benefit the Archdiocese should it pass, as they'll have access to new insurance that could help pay down current lawsuits.

Arthur Budzinski is one of at least 200 people assaulted as a child by Father Lawrence Murphy in Milwaukee. He's one of many who support a renewed effort to pass this law. "No child deserves what I went through. If you want a better future, pass the Child Victims Act," Budzinski said.

Link to news video: <http://www.wkow.com/story/16105263/lawmakers-introduce-child-victims-act>

MADISON (WKOW) –

Two state lawmakers introduced legislation to reform Wisconsin's child abuse laws.



Legislation by Sen. Julie Lassa (D-Stevens Point) and Rep. Sandy Pasch (D-Whitefish Bay) would remove the statute of limitations on future childhood sex abuse cases. Under current law, victims must sue before they're 35 years old.

"These arbitrary deadlines do more than just rob victims of their day in court. It endangers every child in our community because it decreases the likelihood that people who prey sexually on children will be identified and stopped," Lassa said at a Tuesday news conference.

Paul Demcak, a child abuse survivor, spoke out in favor of the legislation. "It's way too long that these issues have been swept under the carpet," Demcak said. "As long as they are swept under the carpet, this will continue to happen."

The bill is modeled after successful legislation in two states, California and Delaware, that holds offenders financially acceptable for their crimes.

Opponents counter the bill is about generating money for victims' attorneys

Link to news video:

http://www.nbc15.com/home/headlines/Wisconsin_Bill_Would_Lift_Sex_Assault_Lawsuit_Limits_134355793.html

Wisconsin Bill Would Lift Sex Assault Lawsuit Limits

A state lawmaker is trying again to clear the way for civil lawsuits against child molesters.

Posted: 4:33 PM Nov 22, 2011



Posted Tuesday, November 22, 2011 --- 4:30 p.m.

MADISON, Wis. -- A state lawmaker is trying again to clear the way for civil lawsuits against child molesters.

Sen. Julie Lassa, a Stevens Point Democrat, introduced a bill Tuesday that would eliminate the statute of limitations on such suits.

Current Wisconsin law allows people to bring civil lawsuits against anyone who sexually abused them as a child until the victim turns 35. The bill's supporters argue the age cut-off is arbitrary and people often take decades to muster the courage to go after their abusers in court.

Opponents counter the bill is about generating money for victims' attorneys.

Lassa has introduced similar proposals in the last two legislative sessions. Republicans currently control both houses of the Legislature, making passage this time around unlikely as well.

<http://www.jsonline.com/news/wisconsin/child-victims-bill-to-get-another-try-ti35lqq-134369703.html>

Child victims bill to get another try

Penn State case acts as backdrop for return of measure addressing abuse

By [Annysa Johnson](#) of the Journal Sentinel

Nov. 22, 2011 10:05 p.m.

Lawmakers and advocates for childhood victims of sex abuse are using this weekend's Badgers game against Penn State as the backdrop for reintroducing legislation that would make it easier for victims to sue their perpetrators in civil court.

State Sen. Julie Lassa (D-Stevens Point) and state Rep. Sandy Pasch (D-Whitefish Bay) said Tuesday that they would reintroduce with bipartisan support the so-called Child Victims Act that has failed at least twice in recent years.

"This is a huge issue - the number of children in Wisconsin and this country that are being sexually assaulted by adults. It's a tragic epidemic, and we have to step up and do something about it," said Pasch, who announced the legislation at a Tuesday news conference alongside Lassa and members of the Survivors Network of Those Abused by Priests.

They invoked the Penn State case - in which former defensive coordinator Jerry Sandusky has been charged with sexually assaulting eight boys over more than a decade beginning in the 1990s - to bolster their position.

"Survivors of child sexual abuse should not be barred from entering the court regardless of when their abuse took place," said SNAP's Milwaukee director, John Pilmaier.

Spokesmen for Legislative leaders Sen. Scott Fitzgerald (R-Juneau) and Rep. Jeff Fitzgerald (R-Horicon) said they hadn't seen the measure and were not prepared to comment on it.

Jerry Topczewski, spokesman for the Archdiocese of Milwaukee, which opposed the bill in earlier sessions, echoed their statements.

"I'd have to review the bill, see if anything's changed," he said.

Like earlier versions, the new bill would eliminate the statute of limitations in future cases involving the sexual assault of a child by an adult. And it would open a two-year window to refile cases in which victims were previously barred by earlier statutes of limitations - one year shorter than earlier versions of the bill.

Current law bars victims from filing civil lawsuits after they turn age 35.

The measure, which is modeled after legislation passed in other states, failed to make it to the floor in the last two legislative sessions.

Proponents, including victims and statewide police and district attorneys associations, supported the earlier bills, saying they were needed to bring justice to victims, many of whom wait years to voice their allegations.

It drew opposition from insurers, Catholic and Protestant church officials and others on a number of fronts. Among them: that it could bankrupt faith communities and violate suspects' rights to due process; and that government workers who enjoy sovereign immunity would be treated differently from private employees.

Many of those same arguments are likely to be made this time around. And, as in past years, lawmakers may be reluctant to voice public opposition to the measure out of concern that they will appear soft on those who sexually abuse children.

"I don't think they're willing to go on record, because in essence they'd be supporting sex predators," said Lassa.

Tuesday's announcement comes as the Archdiocese of Milwaukee works its way through a bankruptcy filed to deal with the mounting sex abuse claims against it. About 100 people have filed claims to date saying they were sexually abused by a priest or employee of the church.

Archbishop Jerome ListECKI signaled this week that the church would oppose some of those claims, because they are beyond the statute of limitations, but would continue to pay therapy and counseling costs for victims. That move could potentially bar victims from some of the church's most notorious offenders, such as the late Father Lawrence Murphy, who is believed to have molested as many as 200 deaf boys over the years, from being compensated through the bankruptcy.

http://www.twincities.com/wisconsin/ci_19394917

Wisconsin lawmaker wants to eliminate statute of limitations for molesters

By Todd Richmond
Associated Press

Updated: 11/22/2011 11:04:10 PM CST

MADISON, Wis. (AP) -- A state lawmaker said Tuesday she will try again to clear the way for more civil lawsuits against child molesters, telling reporters she has again introduced a bill that would wipe out the statute of limitations barring such actions.

Sen. Julie Lassa, D-Stevens Point, has introduced the measure twice before. Last session Democrats who controlled the Senate never brought the bill up for a vote. Now Republicans control both the Senate and Assembly, making passage even more unlikely this time.

Lassa, though, said she isn't giving up. She announced that she was circulating the measure for co-sponsors. She said she hoped the Penn State sex abuse scandal - the Nittany Lions face Wisconsin on Saturday at Camp Randall Stadium - will push Wisconsin residents to pressure their legislators to approve the measure.

"We believe it's important to stop individuals who prey on children. We will not stop until this legislation is passed," Lassa said.

Current Wisconsin law allows people to bring civil lawsuits against anyone who sexually abused them as a child until the victim turns 35.

Lassa did not release the actual language of the bill, but said it was similar to her previous attempts at legislation. The measure would wipe out the age limit, allowing anyone sexually abused after the law took effect to file a civil lawsuit whenever they choose. Anyone 35 or older the day the law took effect would have a two-year window to file.

Supporters have criticized the age cutoff as arbitrary. They say more civil lawsuits will alert police to sexual predators who have gone unnoticed for years and survivors sometimes need decades to muster the courage to go after their abusers in court.

"Victims take time and need time to come forward," Peter Isely, the Midwest director of Survivors Network of those Abused by Priests, said at the news conference. "We really no longer need to have this discussion in this society."

Opponents counter that ending the statute of limitations would open the door for cases where facts have become obscured over time. They say the bill is really about generating money for attorneys.

Milwaukee Archbishop Jerome Listocki told the state Senate judiciary committee during a 2010 hearing on a previous version of the bill the measure would expose Catholic dioceses to more lawsuits from people who believe priests sexually abused them. He said the bill could drive dioceses into bankruptcy.

The archdiocese itself filed for bankruptcy this past January after it failed to reach a settlement with two dozen victims of sexual abuse by Catholic clergy.

A spokeswoman for the archdioceses didn't immediately return messages late Monday afternoon seeking comment on the latest version of the bill.

At Penn State, former assistant football coach Jerry Sandusky is accused of sexually abusing eight boys over a 15-year period. He has maintained his innocence. Two administrators were charged with a cover-up and longtime football coach Joe Paterno was fired. The school has named former FBI Director Louis Freeh to oversee an internal investigation.

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http://www.wuwm.com/programs/news/view_news.php?articleid=9537

Another Attempt to Remove Statute of Limitations for Child Sexual Abuse

By Marge Pitrof

November 22, 2011 | WUWM | Milwaukee, WI

The scandal surrounding Penn State and a former coach charged with sexually abusing boys is prompting lawmakers in Wisconsin to reintroduce legislation.

Democratic Assemblywoman Sandy Pasch is one sponsor of the Child Victims Act. It would remove the statute of limitations for reporting the crime. Right now, under Wisconsin law, they have until age 35.

“Many children are intimidated, they’re frightened. They’re often assaulted by an adult in power, an adult they know. It takes them a while to come to terms with what exactly has gone on. And often, they need longer than just age 35 to come to terms with that,” Pasch says.

The Legislature has defeated the proposal several times in the past. Opponents insist it can be nearly impossible to prove or disprove

<http://gorapidsnews.wordpress.com/>

Legislators Introduce “Child Victims Act”

November 22, 2011

Madison— Senator Julie Lassa (D-Stevens Point) and Representative Sandy Pasch (D-Whitefish Bay) today announced that they will introduce landmark legislation aimed at protecting victims of sexual abuse by removing the civil statute of limitations in sex assault and rape cases involving children. The legislation, dubbed “The Child Victims Act” is modeled after successful laws in several states that now hold offenders accountable for sexually assaulting children regardless of when those crimes were perpetrated.

Sen. Lassa said the recent allegations of child sexual abuse at Penn State demonstrate that more needs to be done to identify predators and stop them before they reoffend.

“The Penn State situation is another tragic reminder that pedophiles, if given the opportunity, will continue to seek out new victims,” said Lassa. “Research has shown that these child molesters will have over 80 to 100 victims during a lifetime and will continue to victimize children well into their 60s and beyond. The Child Victims Act gives us a tool to help reveal more of these criminals and keep offenders from preying on other innocent children.”

Under current state law, civil actions in childhood sexual abuse cases must be brought forward by victims before they reach the age of 35. The Child Victims Act will remove this arbitrary

limitation that has shut the courthouse doors to many survivors of childhood sex abuse who haven't been able to deal with the attack until much later in their lives.

Seventy percent of reported sexual assaults in Wisconsin are perpetrated against juveniles; one in five American children fall victim to sexual abuse or exploitation by the age of 18. According to several leading mental health experts, most children who have been sexually assaulted or raped are so traumatized they are not able to speak about their attack until well into adulthood, if ever. With ninety percent of sexual abuse cases going unreported nationally, the perpetrators of these horrific crimes know that they can continue to prey on a new generation of victims without fear of prosecution.

"Childhood sexual abuse is a serious and alarming epidemic that has devastating consequences on our children and communities," said Rep. Pasch. "This bill would remove arbitrary barriers that prevent victims of these unconscionable acts from receiving the justice they deserve, while helping prevent more children from being subjected to sexual abuse in the future."

"By repealing the state's statute of limitations for civil suits filed by victims of childhood sexual abuse, the Child Victims Act will put these predators on alert," Lassa said. "They will no longer be given safe haven in our communities and in our courts and their victims will finally be given the opportunity to expose them once and for all."

Lassa and Pasch said they introduced the legislation because ensuring survivors their day in court no matter how long it takes for them to confront their abuser is an important step to not only ease the victim's suffering, but to also help prevent sex crimes against children in the future.

"These acts not only damage the moral fabric of our community, but they also hurt our society economically as victims develop serious mental health issues, utilize costly services, and experience decreased productivity throughout their lifetime," said Rep. Pasch. "Victims of child sexual assault often are not able to seek justice from their perpetrators for decades, if ever. In turn, this bill would allow victims to swiftly pursue justice and shift the burden of these shameful acts back to those who chose to victimize our most vulnerable."

The Child Victims Act is supported by the National Association to Prevent Sexual Abuse of Children (NAPSAC), a group of survivors and advocates who have joined forces to bring comprehensive changes to sex offender laws around the country. Several leading victims' rights groups and sexual assault prevention experts have also endorsed the bill, such as: The Wisconsin Coalition of Sexual Assault, the National Association of Social Workers, the Children's Hospital and Health System and its affiliated agencies and programs: (the Children's Service Society Wisconsin, Prevent Child Abuse Wisconsin, the Child Abuse Prevention Fund and the Child Protection Center, the Child Advocacy Center of North Central Wisconsin), Stop Child Predators, and the National Association to Prevent Sexual Abuse of Children.

