

Bill Would Give Sexual Assault Survivors One Year 'Look Back Window' To File Cases

By Stephanie Colombini

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People who survived sexual assault during their childhood but didn't take legal action before the statute of limitations expired could get a second chance if this bill passes. WIKIMEDIA COMMONS

Florida lawmakers are considering a bill that would give survivors of childhood sexual assault a "look back window" to address previously unreported claims. It would allow them one year to open cases with an expired statute of limitations.

This follows a recent wave of states passing look back laws. Sixteen states and the District of Columbia have created similar opportunities for abuse victims to have their voices heard.

The issue is personal for bill sponsor [Sen. Lauren Book](#) (D-Broward), who was assaulted by her nanny as teen.

"It takes a long time for survivors to report these types of crimes," she said. "75% of children don't tell within one year of the abuse, I know I waited six years...and many never do."

The nonprofit think tank [Child USA](#) advocates for statute of limitations reform and tracks legislative progress in states across the country.

CEO Marci Hamilton said Florida has done a lot to help current and future survivors of sexual assault by eliminating the statute of limitations for child sexual battery in 2010. But that law wasn't retroactive.

"That iceberg of victims from the past who were shut down by the short statutes of limitations before still need help," she said.

Child USA estimates at least 1,000 new cases could come forward in Florida if this bill passes. In New York, which opened a year-long window last August, plaintiffs have already filed more than 1,300 civil cases.

Hamilton considers those figures to be relatively modest.

"Opponents to these bills always argue there is going to be an avalanche of claims, but there never are," she said. "...But the public learns about child predators they never knew about. In California in 2003, when the (state's) first window opened, we learned about 300 predators nobody knew about."

Hamilton cites the Catholic Church and insurance industry as groups that have historically opposed look back laws in other states.

Sen. Book said she expects it will be an uphill battle getting her legislation passed during this year's session but hopes to at least start a conversation about the importance of the issue.

Her bill would also expand on eliminating the statute of limitations for other types of child sex abuse besides battery, including performing lewd acts in front of minors and indecent exposure.

Hamilton is optimistic about the bill's passage. She said the #MeToo movement and recent high-profile sex abuse cases involving predators like Florida financier Jeffrey Epstein, former USA Gymnastics doctor Larry Nassar and religious leaders have heightened public awareness around this issue.

Some Epstein victims have been able to seek justice in New York this year due to the state's look back window. Those abused in Florida will have to wait to see what happens this legislative session.