



Legislation Details (With Text)

File #: Res 0030-2018 **Version:** * **Name:** Eliminate the statute of limitations in criminal and civil actions involving sex crimes against minors. (A.03641)

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In control: Committee on Public Safety

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Title: Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.03641, which would eliminate the statute of limitations in criminal and civil actions involving sex crimes against minors.

Sponsors:

Indexes:

Attachments: 1. Res. No. 30, 2. January 31, 2018 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 01-31-2018, 4. Minutes of the Stated Meeting - January 31, 2018

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|-----------------------------|--------|
| 1/31/2018 | * | City Council | Introduced by Council | |
| 1/31/2018 | * | City Council | Referred to Comm by Council | |
| 12/31/2021 | * | City Council | Filed (End of Session) | |

Res. No. 30

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.03641, which would eliminate the statute of limitations in criminal and civil actions involving sex crimes against minors.

By Council Member Cabrera

Whereas, According to the Centers for Disease Control and Prevention, nearly one in four girls and nearly one in six boys in the United States are sexually abused before the age of eighteen; and

Whereas, According to the Rape, Abuse and Incest National Network, the effects of child sexual abuse can be devastating, with survivors experiencing a range of short- and long-term effects that can include: (i) suicidal thoughts, (ii) depression, (iii) post-traumatic stress disorder, (iv) disassociation, (v) self-harm, and (vi) feelings of guilt and shame; and

Whereas, Survivors are often reluctant to share their painful experiences with others; and

Whereas, According to the Child Abuse Prevention Center, over 30% of child sexual abuse victims never disclose to others they have been abused, and those who do often do so years, if not decades, later; and

Whereas, For years, advocates have campaigned for legislative reforms to extend or eliminate the statute of limitations in cases of rape and other sex crimes, so that survivors can seek justice regardless of how much time has passed since the crime; and

Whereas, According to the Council of State Governments, 31 states removed or never had statutes of limitations for certain sex crimes; and

Whereas, In 2006, New York State eliminated the criminal statute of limitations for rape in the first degree, which had been five years, and increased the statute of limitations for civil actions for rape from one to five years; and

Whereas, According to the National Organization for Women, there were 690 rape complaints in New York State in 2005 that could not be prosecuted due to the existing statute of limitations; and

Whereas, The increased use of DNA testing as evidence in prosecution over the last two decades has underscored the need to eliminate the statute of limitations for sex crimes; and

Whereas, By 2013, New York State had removed the statute of limitations for several sex crimes, including: (i) rape, (ii) criminal sexual act, (iii) aggravated sexual abuse, and (iv) course of sexual conduct against a child; and

Whereas, To empower victims of child sexual abuse to bring their abusers to justice regardless of how much time has passed since they were abused, in January of 2017 New York State Assembly Member Al Graf introduced A.03641, an act to remove the statute of limitations in criminal and civil actions involving all sex crimes against minors; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.03641, which would eliminate the statute of limitations in criminal and civil

actions involving sex crimes against minors.

LS# 6254/Res. No. 972-2016

LS# 470

12/15/2017

LW/CMA