



# Statute of limitations for child sex abuse: unfair and unjust

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The man who first finds the strength to disclose the fact that he was sexually abused as a child one day before his 48th birthday has a chance at justice. The man who cannot find the fortitude to do so until two days after that 48th birthday is denied the same treatment under the law.

Is that fair? Clearly not.

The statute of limitations for civil lawsuits brought by survivors of childhood sexual abuse must be eliminated.

The current statute of limitations expires when the survivor reaches the age of 48. If a survivor seeks to hold the perpetrator or institution that permitted the abuse to occur accountable, he or she must do so before his or her 48th birthday. Although the law was updated in 2019 by extending the cut-off age to 51, that change only applies prospectively — meaning that, if the abuse occurs after 2019, the survivor will have an additional three years to file suit. For survivors who were abused before 2019, the deadline remains age 48.

Studies have shown that the average age of first disclosure is 52. Requiring survivors to sue before they reach a particular age is arbitrary and draconian —and unfair.

The injustice of this deadline has troubled me since I began representing survivors nearly 15 years ago. Dozens of men and women have reached out to me to pursue lawsuits when it was too late. Several years ago, a man walked into my office and told me that he was raped by a priest when he was 11 years old. I was the first person he had ever told and he did so on that particular day because his mother had just died and he vowed never to tell a soul until she passed. He was afraid she would blame herself. That man turned 48 two days before our meeting. He cried as I explained that it was too late and he would not be permitted to seek justice in court.

The disclosure of childhood sexual abuse is a process. It takes most survivors decades to be able to deal with it. Psychological barriers, including shame and fear, and family dynamics are some of many reasons why survivors are unable to come forward until it is too late. Child USA, a non-profit think tank, analyzed data gathered from victims abused as Boy Scouts. Their study demonstrated that more than half first disclosed the abuse when they were between the ages of 50 and 69. Another 14% first disclosed it when between ages 70 and, remarkably, 90.

The time has come for the Connecticut legislature to allow all survivors of childhood sexual abuse to seek justice, regardless of when they choose — and when they are able — do so.

The decision to disclose sexual abuse is a deeply personal one and the timing of that disclosure should not be dictated by a deadline arbitrarily imposed, without consideration of what research has proven about the lifelong effects of trauma.

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