



Written Testimony of

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National Director
The Children's Justice Campaign
At ENOUGH ABUSE

Hearing on Senate Concurrent Resolution 25
Before the State, Veterans, & Military Affairs Committee
of the Colorado Senate

April 15, 2025

In Support of the Colorado Child Sexual Abuse Accountability Amendment

Good morning, esteemed members of the State, Veterans, & Military Affairs committee. I am Kathryn Robb, National Director of the Children's Justice Campaign at Enough Abuse. As a lawyer, legislative advocate, and survivor of childhood sexual abuse, I am submitting this testimony to express our organization's strong support for the *Colorado Child Sexual Abuse Accountability Amendment*.

This amendment addresses a critical need to protect children and ensure access to justice for survivors by allowing the General Assembly to pass laws permitting civil claims for childhood sexual abuse, even if previously time-barred. In 2021, the legislature took a bold and compassionate step by passing SB 21-088, recognizing the realities of trauma and delayed disclosure. But in 2023, the Colorado Supreme Court struck down that law, citing the state constitution's prohibition on retrospective legislation. Survivors were again shut out of the courts—not because their claims lacked merit, but because the legislature lacked the constitutional authority to act. This amendment offers a just and necessary solution: it gives voters the opportunity to *grant* that authority, so the legislature can do what it has already shown the courage to pursue — justice for those abused as children but silenced by trauma and time.

How This Amendment Benefits the Common Good

A *statute of limitation* ("SOL") is a law that sets a time limit for filing a lawsuit. This can be deeply unfair to survivors of child sexual abuse, as the trauma they experience often delays their ability to come forward. Once the SOL has passed, a person can no longer sue, regardless of the merits of their claim, effectively silencing survivors and allowing abusers to escape accountability. *Revival laws* are designed to allow survivors whose claims were previously time-barred to pursue justice, and they provide the following significant benefits to society:



- 1. Protects Kids Now:** By identifying hidden predators and bad actors, we can prevent future abuse.
- 2. Transfers the Cost of Abuse:** It shifts the financial burden from victims and taxpayers to the responsible parties.
- 3. Educates Communities:** It raises awareness about the extent of child sexual abuse, empowering communities to better protect children.
- 4. Prevents Future Abuse:** By forcing institutions to adopt safer child protection policies, procedures, training, and responses, we can create a safer environment for all children.

Childhood Sexual Abuse is Widespread

Childhood sexual abuse is not a rare occurrence; it is a crisis in our communities that demands immediate attention. Approximately **1 in 8 children will experience sexual abuse before their 18th birthday**. This staggering statistic includes 20-25% of girls and 5-10% boys.¹ These are not just numbers; they are real children, our children, whose lives are forever altered by this trauma.

The Long-Term Impacts of Abuse

The effects of childhood sexual abuse are severe and long-lasting, impacting survivors physically, psychologically, and socially throughout their lifetimes. Studies have revealed statistically significant correlations between CSA and various **medical issues**, including gynecological problems, chronic pain, sleeping disorders, and obesity. The **sexual health** of survivors is also compromised, with increased risks of adult sexual revictimization, adolescent pregnancy, and higher rates of HIV positivity. Furthermore, the **psychological** toll is profound, with survivors reporting higher levels of anxiety, depression, suicidal ideation and behavior, suicide attempts, eating disorders, non-epileptic seizures, fear, and post-traumatic stress disorder (PTSD).² These devastating impacts underscore the urgent need to address the trauma of CSA and provide avenues for healing and justice.

Why Survivors Stay Silent

The trauma associated with childhood sexual abuse creates significant barriers to reporting. Tragically, studies show that around 44.9% of male CSA victims and 25.4% of female CSA victims who eventually **disclose their abuse**, do so **more than twenty**

¹ Center for Violence Prevention Research, (2024, Nov. 15). “*Literature review on prevention of child sexual abuse*”, www.scienceofviolence.org; Townsend, C. and Alyssa A Rheingold. “Estimating a Child Sexual Abuse Prevalence Rate for Practitioners.” (2013).

² Nagtegaal, Maria H, and Cyril Boonmann. “Child Sexual Abuse and Problems Reported by Survivors of CSA: A Meta-Review.” *Journal of child sexual abuse* vol. 31,2 (2022): 147-176. doi:10.1080/10538712.2021.1985673.



years after they were abused.³ Furthermore, it is estimated that a staggering 70–95% of CSA victims never report their abuse to the police.⁴ This silence is not a reflection of a lack of courage or evidence but rather the profound psychological impact of abuse, including the deep-seated fear, shame, and manipulation tactics employed by perpetrators and their enablers.

Colorado Should Join the National Movement

Across the United States, there is a growing recognition that survivors of childhood sexual abuse deserve the opportunity to seek justice, even if the statute of limitations on their claims has expired. To date, thirty states and three territories have enacted revival or window laws to allow expired child sexual abuse claims to proceed, including states like Arkansas, California, Louisiana, Maryland, and Vermont, reflecting broad, bipartisan support for this kind of reform.

Importantly, some states have also pursued constitutional amendments to ensure these revival efforts are legally sound. Virginia amended its constitution to permit retroactive civil legislation for intentional torts against minors, paving the way for its revival of CSA claims. More recently, Utah introduced a constitutional amendment to allow the revival of time-barred civil claims involving child sexual abuse. These efforts reflect a broader national movement toward constitutional clarity, legislative empowerment, and survivor-centered justice.

Conclusion

Colorado's proposed amendment takes a thoughtful and necessary step toward justice. It gives voters the power to decide whether their legislature should have the authority to enact laws that reflect the realities of trauma, honor the voices of survivors, and protect children from future harm.

By placing this amendment on the ballot, you are empowering the people of Colorado to restore a path to justice that this legislature has already supported. It acknowledges the impact of delayed disclosure, affirms the right of survivors to be heard, and helps ensure that those responsible for abuse can be held accountable.

³ O'Leary, Patrick J, and James Barber. "Gender differences in silencing following childhood sexual abuse." *Journal of child sexual abuse* vol. 17,2 (2008): 133-43. doi:10.1080/10538710801916416.

⁴ Finkelhor, David, et al. "Sexually Assaulted Children: National Estimates and Characteristics." *National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children*, Office of Justice Programs, Aug. 2008, www.ojp.gov/pdffiles1/ojjdp/214383.pdf.



CHILDREN'S JUSTICE CAMPAIGN

enoughabuse.org



Let us prioritize the well-being of survivors, take a step toward breaking the cycle of trauma, and protect our children — now and in the future.

April 15, 2025

The Honorable Mike Weissman and
Members of the State, Veterans, & Military Affairs Committee
Colorado State Senate
200 E. Colfax Avenue
Denver, Colorado 80203

Via Email

RE: Colorado SCR25-002, Child Sexual Abuse Accountability Amendment

Dear Chair Weissman and Members of the Committee:

The American Property Casualty Insurance Association (APCIA)¹ appreciates the opportunity to provide feedback on proposed legislation, SCR25-002, Child Sexual Abuse Accountability Amendment. The amendment, while well intentioned in that it seeks to protect the well-being of minors, if passed and approved, would alter Colorado statute of limitations in a way that is unsound by reviving time-barred civil lawsuits. If it becomes law, it will undermine the predictability, reliability and fairness of Colorado's civil justice system and set a disturbing precedent for other types of civil actions.

Sexual abuse against a child is horrific and should be punished under the state's criminal and civil litigation laws. We do not take issue with an extension of Colorado's current period to file a claim for injuries from child sexual abuse. However, to bring predictability and certainty to the civil justice system, statutes of limitation should be finite, and changes should apply prospectively only. This legislation violates these principles.

The core reason for the current statutes of limitations law is to allow judges and juries to make decisions about liability based on the best evidence available. Statutes of limitations protect accuracy and reliability in the civil justice system. This is particularly important when a jury must evaluate what an organization should or should not have done at some point in the past. Statutes of limitations prevent stale claims and unnecessary delays in the presentation of issues. A plaintiff's timely filed action provides notice to the defendant and ensures that the defendant does not find, because of the lapse of time, that it is unable to gather the facts, evidence, and witnesses necessary to afford a fair defense. These statutes also allow

¹ Representing nearly two thirds of the U.S. property casualty insurance market, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, protecting families, communities, and businesses in the U.S. and across the globe.

businesses and nonprofit organizations to accurately gauge their potential liability and make document retention decisions accordingly.

We appreciate the opportunity to provide comments and urge you to vote no on SCR25-002.

Sincerely,

A handwritten signature in cursive script that reads "Lyn Elliott". The signature is written in black ink and is positioned below the word "Sincerely,".

Lyn Elliott
Vice President, State Government Relations – Mountain Region

Senate State, Veterans, & Military Affairs

04/15/2025 02:00 PM

SCR25-002 Child Sexual Abuse Accountability Amendment

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Fiona Boomer For American Federation of Teachers Colorado	<p>Chair and members of the Committee, thank you for the opportunity to testify today. My name is Fiona and I'm proud to represent the union members of the American Federation of Teachers Colorado, which includes thousands of dedicated educators and school staff across Colorado.</p> <p>We are here today to express our full support for this constitutional amendment to allow survivors of child sexual abuse to pursue civil claims—regardless of when the abuse occurred. As educators, we are mandated reporters. We are trusted adults who many students confide in. And too often, we have seen the lifelong impact of abuse that was never addressed—because the law didn't allow the survivor to come forward in time.</p> <p>Let me be clear: the trauma of childhood sexual abuse does not operate on a timeline. Survivors may need years—sometimes decades—to find the safety, support, and voice they need to come forward. Our laws should reflect that reality, not ignore it.</p> <p>This measure gives survivors a path to justice that has long been denied to them. It also sends a clear message to the institutions that failed to protect children: you are not above accountability.</p> <p>As educators, we teach students that truth and justice matter. That when harm is done, it should be addressed—not buried by legal technicalities or arbitrary deadlines.</p> <p>We urge you to support this bill and give voters the opportunity to make Colorado a place where survivors of childhood sexual abuse can be heard—no matter how long it has taken them to speak up.</p> <p>Thank you for your time.</p>