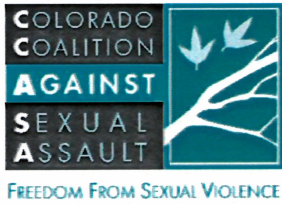


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**Please Support  
House Bill 20-1296 Prospective Civil Action Statute of Limitations  
Sexual Assault**

**Reps. Michaelson Jenet and Soper/Sens. Gonzales and Coram**

**Just as healing from the impact of trauma has no timeline, no expiration date, neither should a victim's chance at seeking accountability through the courts.** Survivors of sexual assault need time. Traumatic experiences often bring about neurobiological changes that impact memory — many survivors cannot remember or communicate all the details of a sexual assault initially. Survivors need to gather the strength, courage, and support necessary to report the sexual assault and to participate fully in the court process. HB 20-1296 allows child and adult survivors of sexual assault time to heal so that they may access the civil justice system when they are best able to engage without further traumatization.

**HB 20-1296 prevents further victimization.** Statutes of limitations are the tool most often used to defeat claims of childhood and adult sexual assault. The current statute of limitations for civil actions related to sexual assault sets forth a timeline that has no relation to the dynamics of sexual assault or the challenges that victims face in coming forward. Eliminating the civil statute of limitations **prohibits perpetrators from continuing to evade legal consequences** simply because an arbitrary time limit has expired.

**Accountability is necessary because it sends a message that sexual assault will not be tolerated.** HB 20-1296 expands the definition of sexual assault and sexual offense against a child to sexual misconduct in order to capture and punish unlawful sexual behaviors from which perpetrators are currently shielded.

**HB 20-1296 enhances fairness** in the civil justice system by dismantling the institutional power that shields sex offenders from accountability. Altering the civil statute of limitations **does not change, in any way, the burden of proof required** to establish a defendant acted negligently.

**HB 20-1296 shifts the cost of child and adult sexual assault from victims and society to perpetrators and institutions.** According to a recent studies, the average lifetime cost for victims was \$282,734 per female child sexual abuse victim<sup>1</sup> and \$122,461 per adult rape victim, including criminal justice costs, property loss or damage, lost work productivity and future wages, and short-and long-term physical and mental health treatment for victims (Letourneau EJ, et al, 2018; and Peterson, DeGue, Florence, & Lokey, 2017). **The civil justice system can provide victims with the monetary resources necessary to rebuild their lives.**

Colorado has a responsibility to create a system in which more victims choose to report because they believe it is in their best interest. **HB 20-1296 will serve the state's overall public safety interests**, and support efforts to hold perpetrators of sexual assault—and the institutions that shield them—accountable. **HB 20-1296 becomes effective January 1, 2021 but allows for those victims whose current statute of limitations has not yet run to take advantage of this law.**

**Please support this bi-partisan legislation to  
allow survivors time to heal so that they may access the civil justice system when they  
are best able to engage without further traumatization**

<sup>1</sup> There was not enough information to calculate the cost for male victims in this study.

## **Organizations and Individuals Who Support House Bill 20-1206**

Advocates of Lake County, Leadville, CO	Maass Law
American College of Obstetricians and Gynecologists (ACOG)	Moms Fight Back
Camino a la Dignidad	Out Boulder County
Child USA	Para Ti Mujer
Clear Creek County Advocates	PeaceWorks, Inc - Mountain Peace Shelter, Fairplay, CO
Colorado Coalition Against Sexual Assault (CCASA)	Project Hope of Gunnison Valley
Colorado Council of Churches	Project PAVE
Colorado Cross Disability Coalition (CCDC)	Project Safeguard, Denver Metro Area
Colorado Organizations for Victim Assistance (COVA)	Red Wind Consulting
Colorado Psychiatric Society (CPS)	Renew Inc., Cortez, CO
Colorado Victims for Justice	Response, Aspen, CO
Courtney Carrick, Sexual Assault Victim Advocate in Weld County	Rev. Diane Martin, United Church of Christ
Cynthia Coffman, former Colorado Attorney General	Rev. Julia McKay, Minister at High Plains Church, Unitarian Universalist, Colorado Springs
Darrow E. Peck, Co-Founder of Southwest Intertribal Voice	River Bridge Regional Center, Glenwood Springs
Empowered Voice Traveling Exhibit & Symposium	Rocky Mountain Children's Law Center (RMCLC)
Family Crisis Services, Cañon City, CO	Rocky Mountain Victim Law Center (RMVlc)
Finding Our Voices	SARA, Inc., Fort Morgan, CO
Girls Inc.	Second Mile Obstetrics and Gynecology
Hispanic Affairs Project of Western Colorado	Survivors Network of those Abused by Priests (SNAP)
Illuminate Colorado	The Alliance, Salida, CO & Buena Vista, CO
Jewish Family Services	The Blue Bench, Denver Metro Area
John Clune, Esq., Sexual Abuse Attorney	The Center on Colfax
Kidpower of Colorado	The Family Tree, Gilpin & Jefferson Counties
Kristian Roggendorf, Esq., Sexual Abuse Attorney	The Kempe Center
L.L. Dunn Law Firm	Violence Free Colorado
	Vista Grande Community Church
	WINGS Foundation
	Women's Lobby of Colorado

*Please contact Larry Hudson at 303-249-4234 for more information*