

## States Policy Exchange Notes 9/20/22

16 participants from 10 states (CO, IA, IL, TX, ND, NC, OH, GA., VA and Utah) joined the discussion in our fourth SPE meeting.

Watch the recording here: <https://vimeo.com/751849777>

### Federal Legislation Update:

Jetta Bernier from MassKids shared that the federal Jenna Quinn bill, to allow for grants to underwrite CSAP education in schools, has passed the Senate:

Link to the Jenna Quinn bill that passed the Senate:

Dallas News

article: <https://www.dallasnews.com/news/politics/2022/08/04/us-senate-again-clears-jenna-quinn-bill-modeled-after-texas-law-to-curb-child-sex-abuse/>

Bill Text: <https://www.congress.gov/bill/117th-congress/senate-bill/734/text>

Jetta also shared that a federal bill to eliminate the civil Statute of Limitations on child sexual abuse was passed by the House and Senate and sent to President Biden's desk to sign:

Federal SOL bill:

News

article: <https://thehill.com/homenews/house/3641319-bill-eliminating-statute-of-limitations-for-child-sex-abuse-civil-suits-heads-to-bidens-desk/>

Bill text: <https://docs.house.gov/billsthisweek/20220912/BILLS-117s3103-SUS.pdf>

Kathryn Robb from ChildUSAAdvocacy shared that her organization is advocating for a bill related to removing NDAs related to sexual harassment cases, H.R.8227:

<https://www.congress.gov/bill/117th-congress/house-bill/8227/text?r=1&s=1>

Kathryn also shared that ChildUSAAdvocacy is working on eliminating SOL on Title IX cases, and getting cases to not use the home state's SOL for those claims. They are also advocating for H.R.4860, which would create incentives for states to eliminate their SOLs on child sexual abuse and revive time-barred civil claims:

<https://www.congress.gov/bill/117th-congress/house-bill/4860>

H.R.5049 "directs the Department of Justice to increase a state's allocation of funds under the STOP Violence Against Women Formula Grant Program if, under the laws of the state, child sexual abuse criminal offenses and civil actions authorizing damages for victims of child sexual abuse are not subject to a statute of limitations."

<https://www.congress.gov/bill/117th-congress/house-bill/5049>

Kathryn shared that ChildUSAAdvocacy also does work on ending child marriage, ending conversion therapy, anything to do with child abuse, getting at the root of holding institutions and organizations accountable and eliminating SOL. Kathryn is also a survivor.

Updated EnoughAbuse.org:

Jetta and Lindsay from MassKids, which directs the Enough Abuse Campaign, also shared that the website enoughabuse.org has been redeveloped, and now includes a Get Vocal section, which is all about advocating for legislation. There you can find the latest Call to Action report, recorded webinars about the report and strategies to pass CSA prevention legislation in your state, as well as notes and recordings from the States Policy Exchange. There are also four interactive maps about CSAP legislation, where you can click on your state to see the law in your state, as well as an Advocacy Resources page, which includes links to the webinars, model pieces of CSAP legislation, and more.

Call to Action Report: <https://enoughabuse.org/get-vocal/call-to-action-report/>

Interactive Maps: <https://enoughabuse.org/get-vocal/laws-by-state/>

States Policy Exchange page: <https://enoughabuse.org/get-vocal/state-policy-exchange/>

Legislative advocacy resources: <https://enoughabuse.org/get-vocal/resources/>

Texas:

Justin Wood from the TX coalition of CACs shared that Texas is dealing with barriers to CSAP education due to opt in and opt out provisions. A law went into effect last December that requires parents to opt-in their children to the training.

Kerrie Judice from TexProtects/PCA TX shared that TX does not have a school employee screening law yet to prevent people showing grooming behaviors moving to another organization. There has been a lot of discussion about the central registry in Texas. Some advocacy orgs want to make sure that someone suspected of abuse can't go to another organization, but we also want to respect "innocent until proven guilty".

Madeline McClure, founder of TexProtects asked whether the CSAP education bill was ever funded, and Justin answered that it was not. TX did pass SOL elimination, but has yet to pass a pass the trash elimination/screening bill, which in the 19<sup>th</sup> legislative session they made headway on.

Justin shared that the CSAP Education bill was passed and Gov. Abbot vetoed it, and that is how this opt-in language got added. The governor's Veto statement asked for opt-out language, but the bill got wrapped up in critical race theory discussions. Opt-in language got added last minute without discussion.

Kathryn shared that TX did pass eliminating SOL for criminal, but there has never been a revival law or window at all. Less than 50% of all claims in criminal cases will go forward to prosecution. Less than half of those end up in a conviction. That is why civil statutes are so important. There is a higher burden of proof in criminal cases.

### Ohio:

Rebecca Surrendorf, an advocate from Ohio shared that she has been advocating for 3 years on CSA issues. Ohio has room for improvement. They have not eliminated criminal SOL for CSA. Lackluster civil SOL. HB105 - Erin's Law bill has passed the House but is stuck in the Senate and Education Committee. HB266, an SOL reform bill has never made it out of committee.

There are issues with large parochial school system with carve outs. Three years in, Ohio hasn't seen much progress. A man running the largest parochial school was arrested for 9 counts of child rape recently.

HB105 would mandate education in public schools; it doesn't include consent education. They are hoping it will pass somewhat resembling how it is now.

### Iowa:

Greg Belville from PCA Iowa shared that they are working on a CSAP education bill, which has made it to the House floor the last 3 years, gotten stopped by opt-in amendments, and limiting age appropriate info to 7-12th grade for students. Good news is that school nurses, school social workers associations approached them to support the bill. One of the things that derailed it last year was controversy around books - getting books out of libraries that are grooming kids became the focus and took away momentum from the bill. Their focus has been primarily on educating adults so they tried to stay out of the grooming debate. Ohio has a Republican-controlled House and Senate, so advocates are trying to make CSAP education an employment education issue, but it got caught up in some local politics. Ohio is more focused on punishment than prevention. Greg stated that the info provided by Enough Abuse is really helpful.

Kathryn shared that ChildUSAvocacy has been working with Senator Janet Peterson of Ohio on SOL issues.

### Utah:

Sarah Haley-Nitta from PCA Utah shared that their legislative session starts in January, and the bill drafting will start. There is a big interest in the broader community to pass broader mandated reporting legislation. Utah has a clergy exemption. The Church of Jesus Christ Latter Day Saints had 40% of population of Boy Scouts. There was pressure to eliminate the clergy exemption and make them mandated reporters. Rep. Angela Romero introduced a bill in 2020

to eliminate the clergy exemption. PCA Utah did a social campaign on mandated reporter expansion and it went viral.

#### Keep Kids Safe Update:

Katy Flynn from Keep Kids Safe shared that they are working on drafting federal legislation to prevent child sexual abuse. They are getting input from multiple advocacy organizations. They are organization a Hill day in April in DC and would love to hear from folks if they are interested in joining that.

Keep Kids Safe released the National Blueprint to prevent CSA and the legislation will be comprehensive and include elements of that. There is hope for it to become the next VAWA.

Blueprint: <https://keep-kids-safe.org/wp-content/uploads/2022/04/fullreport.pdf>

KKS also conducted a Power to Protect social media campaign; letters were sent to 86 different Congresspeople highlighting the blueprint. They were successful in getting meetings with Congresspeople in California and Michigan with districts they targeted. KKS also submitted comments to the White House Task Force on Online Harassment and abuse. KKS is trying to get them to focus on child exploitation online and offline - trying to help them see the connection. The White House Task Force is doing listening sessions and have reached out about bringing in information by a survivor of was trafficked after being contacted online.

#### Massachusetts:

Jetta shared that the MA bills for CSAP education, screening/pass the trash prevention, and criminalizing educator sexual misconduct/age of consent not a defense, didn't pass again this year. Some of them made it out of committees, but didn't get brought to the floor for a vote due to other legislative priorities around taxes, protecting abortion rights, etc. We will be continuing to advocate for these in the next legislative session.

Lindsay shared that MA did pass a bill this past July to end child marriage. Prior to that, a child of any age could be married in MA with parental consent and judicial approval. This put minors who were married at risk of abuse without the recourse available of a divorce or restraining order. This bill was passed as an amendment to the state budget after advocacy by the MA Coalition to End Child Marriage, which we were part of, led by Unchained at Last. That organization is active in other states campaigning for this issue.

#### Other updates:

Faith Colson, survivor advocate, shared that a new documentary called Keep This Between Us came out recently. It is about a survivor examining her former relationship with her teacher in

high school, and the problem of grooming and passing the trash nationally. This documentary takes place near where Faith lives. Faith also shared that her son's teacher was recently arrested for sexual misconduct with a student, so this issue is as important to her as ever.

Nina Tracy from PCA North Carolina shared that they are undergoing a process to identify where they will work in the area of CSA prevention and planning for what they will do in the policy arena. NC has a Republican-led legislature and a Democratic Gov. It is helpful to hear what other states have been dealing with. NC's State legislature operates on 2-year cycle.

A question was raised in discussion prior to the meeting about the percentage of perpetration of CSA by youth and this article by David Finkelhor was shared:

<https://www.unh.edu/ccrc/sites/default/files/media/2022-03/sexual-abuse-and-assault-in-a-large-national-sample-of-children-and-adolescents.pdf>