



CRIMINAL STATUTE OF LIMITATIONS

SUMMARY OF FINDINGS FROM DIALOGS WITH STATE SEXUAL ASSAULT COALITIONS

WCSAP sent out a request for information to 50 State Sexual Assault Coalitions inquiring on their current state criminal SOL.

Questions posed included:

- What brought your state to review your criminal statute of limitation law or to come to its current status?
- What considerations did your state make or were necessary for the review process?
- Did you encounter barriers to policy change? If so, please explain.
- Have the changes your state made to SOL increased successful prosecution?

Response:

Response rate: 14 coalitions replied- a response rate of 28%. Information was collected from email response and phone conversations. Due to nature of the request, data received was anecdotal in nature.

- Of the states who replied the primary reasons for expansion or elimination of SOL were to 1) support SA survivors who may wish to report past what the existing statute timelines 2) encourage reporting 3) stop slow incremental increases 4) increase offender accountability
- Of the coalitions whose state had a SOL, they reported that they do not receive a lot of calls from victims/survivors who want to know what they can do to bring their perpetrators to justice when the statute of limitations has expired*. When they did the average age was 30. * It is WCSAP's belief that these calls occur at the local sexual assault program/community level rather than coming into the state coalition.
- Two states reported that the biggest challenge in getting an extension or removal of the statute of limitations in child sex crimes cases has been opposition from the Catholic Church. A common standing argument was that time elapsed would make it near impossible for the church to "defend itself" against claims. Opposition from religious communities and defense attorneys were common across the states.
- No states reported an increase in successful prosecutions. This was attributed to the lack of data sets to collect information and a minimal amount of cases that have been brought forward.

Trends: States nationwide have incrementally increased time limits to the criminal statute.