

Senator Bruce Starr Testimony on HB 3478

April 12, 2013

I am writing to express my support for HB 3478. HB 3478 amends the Oregon Tort Claims Act (OTCA) to account for the tendency of abused children to remain silent about abuse until much later in life. It can take decades for a victim of abuse to realize and process the wrong that was done to them, and to make the connection to the repercussions it has had in their life.

This bill extends the statute of limitations for individuals who have been abused by government employees. The bill takes the limit from the current limitation of 2 years after the abuse to any time before the age of 40. If the victim has not filed a lawsuit by then, and if the victim has not yet made a connection between the abuse and a different, subsequent injury such as depression, drug use, or other psychological problems before age 40, then the victim has 5 years from making that connection to file suit. The statute of limitations does not start running just because a victim remembers that she was abused. This conforms the statutes of limitations against non-governmental entities with the statute of limitations for governmental entities.

My hope is that this bill will help hold government agencies accountable in court, which ultimately is one of the best ways to remove, report and prevent child abusers. It also gives victims the time and space they need to process what has happened to them and seek justice. Victims of abuse deserve our support and access to the resources they need for healing and closure. HB 3478 is a part of making that a reality.