

DC Sexual Abuse Statute of Limitations Amendment Act of 2018

Before & After



What is a statute of limitations?

A statute of limitations is like a legal stopwatch that counts down the time to file criminal charges or a civil lawsuit. It is important to know when the clock starts ticking, when the clock stops ticking and whether anything restarts the clock.

CRIMINAL

A criminal case is where the perpetrator is held accountable to the state for breaking the law and can be sent to jail.

VS.

CIVIL

A civil case is where the perpetrator or another legally responsible entity is held accountable to the victim and must pay the victim money and do other things to make up for it.

Civil and criminal cases have different statutes of limitations.

CRIMINAL STATUTE OF LIMITATIONS

BEFORE Amendment Act of 2018

Criminal sexual abuse was subject to a **10 or 15 year statute of limitations.**

AFTER Amendment Act of 2018

If the crime happened **after May 3, 2019** there is no criminal statute of limitations for any sexual abuse in the 1st or 2nd degree.

If the crime happened **before May 3, 2019** and the statute of limitations has not yet expired criminal charges can be filed any time.

CIVIL STATUTE OF LIMITATIONS

BEFORE Amendment Act of 2018

A civil lawsuit against the perpetrator had to be filed **before age 25 or 3 years since the victim discovered the abuse.**

AFTER Amendment Act of 2018

The amendment **expands civil law suits** to any sexual abuse not just acts of sexual abuse that occurred while the victim was a minor.

A civil lawsuit against the perpetrator or a negligent institution may be filed **before the victim reaches age 40 or 5 years from when the victim discovered the abuse.**

The amendment creates a **2-year window—open May 3, 2019 to May 3, 2021—for previously expired claims of abuse** as long as the victim is still under 40 years old or within 5 years of when the victim discovered abuse.

1 in 4 girls and **1 in 6 boys** will be a victim of sexual abuse before they turn 18.

University of New Hampshire Crimes Against Children Research Center