



U.S. FEDERAL POLICY BLUEPRINT TO END SEXUAL VIOLENCE AGAINST CHILDREN & ADOLESCENTS

September 30, 2021, FINAL DRAFT

“My Administration is committed to expanding efforts to improve prevention initiatives, enhance trauma-informed responses to assist children and adolescents impacted by sexual violence, and work toward healing and justice.”

President Joseph R. Biden, April 8, 2021

AGENDA FOR FEDERAL GOVERNMENT ACTION

Children and adolescents are exposed to sexual violence in multiple forms: child sexual abuse, incest, child sexual exploitation, rape, online child sexual abuse and exploitation, sexual violence in dating/intimate relationships, sexual violence among peers, child marriage, and sexual harassment. Sexual violence is happening in families, local communities, schools, sport, places of worship, and online. Children and adolescents of every age, race, ethnicity, caste, religion, sexual orientation, and gender identity are impacted, as are children with physical, intellectual and cognitive disabilities. Millions of Americans are survivors and affected family members.

Violence against children and adolescents contributes to an insidious cycle of violence across the life-cycle and can lead to perpetration, including juvenile-on juvenile and adult perpetration. Additionally, child sexual abuse victims are at increased risk of re-victimization and are at twice the risk of later in life intimate partner violence (IPV). The Center for Disease Control has noted that these adverse childhood experiences (ACE) impact victims’ short-term and long-term social and emotional development. Many victims experience devastating mental health challenges including depression, posttraumatic stress disorder (PTSD), substance abuse, and increased risk for suicide or suicide attempts.¹

Child sexual abuse was already rampant before the COVID-19 pandemic hit. During the pandemic, lockdowns, increased online activity, economic instability, and other factors only exacerbated the situation. Many children have been hidden from the caring adults, community members, and mandated reporters who could have protected them. Additionally, children are spending unprecedented time online, increasing exposure to technology-facilitated violence, sexual exploitation, and abuse. Disruptions in routine, isolation, more time spent at home and online, financial insecurity, stress, and anxiety increased the risk and incidents of violence against women and children.

As the United States continues in the fight against COVID-19, it is critical that our national response not only keeps kids safe from the virus but also keeps kids safe from sexual violence at home, in schools,

¹ <https://www.cdc.gov/violenceprevention/childabuseandneglect/childsexualabuse.html>

online, in sport, in communities, and places of worship. We must seize this opportunity to build a safer world for every child and adolescent, so that as we “build back better” and we “build back safer”.

Scientific advances and their successful implementation have brought the United States to a tipping point in the fight to end sexual violence against children and adolescents. ***The time to act boldly is now.*** By making smart federal policy and funding investments, based on the latest evidence and data, we can deliver practical and cost-effective programs that can break the cycle of violence in the United States based on three mutually interdependent pillars of action:

- **Prevention:** prevention efforts must be taken to scale in families, communities, schools, nonprofit organizations, sports and online; and
- **Healing:** children, adolescents, and adults who experienced sexual violence must have access to child- and survivor-centered culturally-appropriate services and engage in processes that help them heal; and
- **Justice:** children, adolescents, and adults who experienced sexual violence must have access to fair, child- and survivor-centered justice.

Most policies, laws, and programs currently operating in the U.S. at the community, State and Federal levels are underfunded, siloed, and fragmented with respect to prevention, healing, and justice delivery. Ending sexual violence against children and adolescents requires the identification, implementation and scale-up of policy, laws, and regulations that have cross-cutting jurisdictional impact at all levels of government.

In our call to end sexual violence against children and adolescents, we acknowledge that sexual violence has been fueled for centuries by poverty and disenfranchisement caused by system racism. Addressing the longstanding structural barriers that Black, Indigenous and communities of color face in accessing a variety of critical services to end child sexual violence is a main priority. In some cases, the systems designed to protect individuals and families have actually caused harm and exacerbated existing inequities. Active involvement of people who have been historically underserved and underrepresented, marginalized, and adversely affected by persistent poverty and inequality - including Black, Indigenous, and people of color (BIPOC), immigrants, diaspora communities, and the LGBTQIA+ community - is essential for the success of the priorities identified in this Blueprint. Similarly, the disabled community is largely invisible and faces unique obstacles and challenges to accessing services. Finally, large scale ignorance about sexuality due to inadequate sexual health education remains a major challenge.

We urge President Biden and the U.S. Congress to launch initiatives to “Keep Kids Safe: End Sexual Violence Against Children and Adolescents” that drive action to deliver prevention, healing, and justice solutions at full scale in the U.S. and globally:

1. **Approve an executive order mobilizing a whole-of-government approach for prevention, healing, and justice of sexual violence against children and adolescents** (as part of the broader commitment to prevent and respond to gender-based violence) to include:
 - a. **Declare April 8th as the “National Day for Child Sexual Abuse and Exploitation Prevention, Healing and Justice”** - by executive order and mobilize support for a Congressional resolution and globally via a United Nations resolution.

This initiative would establish an annual day of observance for promoting awareness on the prevention, healing, and justice of sexual violence against children and adolescents.

The day of recognition would serve to acknowledge the magnitude of the problem and importance of long-term, sustained funding for organizations focused on prevention, healing, and justice; unite organizations and advocates across disciplines through promoting partnerships and sharing resources for effective prevention, healing, and justice; and help ensure that survivor voices and experiences are heard, acknowledged and honored. (Executive and/or Legislative)

- b. **Declare sexual violence against children and adolescents a U.S. public health emergency** and authorize an annual Surgeon General’s report that defines the problem and progress in our national response.

The Secretary of Health and Human Services can declare a public health emergency. The Secretary should declare sexual violence against children under 18 years of age a public health emergency and issue an annual U.S. Surgeon General’s report that is proactively and widely disseminated to the public and incorporated into training for service providers and educational institutions. The Surgeon General is encouraged to update incidence and prevalence statistics annually, prioritize research, and dedicate resources annually. (Executive; U.S. Department of Health and Human Services)

- c. **Convene a federal Interagency Task Force** on the Prevention, Healing, and Justice of Sexual Violence Against Children and Adolescents, chaired by the White House and coordinated by a designated White House Czar, to develop and implement a National Plan to End Sexual Violence Against Children and Adolescents.

The establishment of a senior leadership position in the White House specifically focused on children and adolescents and designation of a federal interagency task force is executive-level recognition of the importance of coordination among the different federal agencies with direct roles in combatting child sexual abuse. Unifying these agencies, under the direction of the White House, and appropriately resourcing this work will result in more efficient and cost-effective policy and results. Representatives serving on this task force could include: the Department of Health and Human Services (CDC, ACF, NIH, U.S. Surgeon General); the Department of Education (Office of Elementary and Secondary Education); the Department of Justice (OJJDP, OVC, NIJ); the Department of State; U.S. Agency for International Development (USAID); the Corporation for National and Community Service; Department of Defense; the Department of Treasury; and the White House Offices of Public Engagement (OPE) and Faith-Based and Neighborhood Partnerships. Utilizing a whole-of-government approach, this task force would be charged with meeting regularly and working together to coordinate timely responses to ending sexual violence against children and adolescents. This work would include regular reports to the President and to Congressional committees of authorization and appropriations, including an annual National Strategy to End Sexual Violence Against Children and Adolescents. (Executive)

- d. **Establish an Interagency “End Sexual Violence Against Children and Adolescents” Data Working Group** to develop standard definitions for child sexual abuse prevention, healing and justice that can be applied across the Federal government. The Data Working Group should focus on upgrading data collection methods and systems, and reporting protocols, to establish a universal tracking system across the nation.

The working group will ensure that Federal relevant datasets are disaggregated by age, race, ethnicity, gender, disability, and sexual orientation when available. The working group will support agencies in implementing actions that expand and refine the data available to the Federal Government to measure the extent of sexual violence against children and adolescents and the equitable impact of programs and services that address the diverse needs of the American people. The Data Working Group should publish a Data Blueprint annually. (Executive)

- e. Hold a **“Keep Kids Safe National Summit”** on the “Prevention, Healing and Justice of Sexual Violence Against Children and Adolescents” convened by the White House and coordinated by the White House Czar, supported by appropriate executive agencies (e.g., DHHS, DoE, DoJ) that will be attended by survivors, thought leaders, researchers, federal, state, and local leaders, and others from allied organizations around the U.S. to promote awareness and to generate executive and legislative recommendations and best practices from experts in the field. (Executive)
- f. Mobilize the Federal government, State governments, civic groups, nonprofit organizations, and the private sector to **launch public education and engagement campaigns** to shift societal norms, such as eradicating stigma against survivors and their families and break the conspiracy of silence that enables sexual violence against children and adolescents to continue, including the November 18 World Day of recognition.

Working with the White House Offices of Public Engagement (OPE) and Faith-Based and Neighborhood Partnerships, with the Departments of HHS, Education and Justice, coordinate public education and engagement strategies at the local, state, regional and national levels to ensure that concerned citizens, survivors, community leaders, nonprofit leaders, universities, the private sector, local and State governments, and new voices are integral in advancing public education and engagement strategies that will break the conspiracy of silence, end stigmatization of survivors and encourage public action, so that sexual violence is widely recognized, understood, and seen as preventable and unacceptable. (Executive)

- g. **Mobilizing Financial Resources** from existing funding, and leverage Fiscal Year 2022 and Fiscal Year 2023 budget and appropriations cycles and leveraging investments from the private sector, foundations, and other donors for domestic and global programs. (Executive; Legislative)

- 2. **Develop and pass into law comprehensive national legislation**, the “Keep Kids Safe Act,” and include an expanded annual budget request and appropriations.

The Initiative will develop a bipartisan, bicameral congressional coalition to effectively address the pandemic of sexual violence against children in the U.S., supporting and building upon the groundbreaking work of the Violence Against Women Act (VAWA), the Child Abuse Prevention and Treatment Act (CAPTA), the Victims of Child Abuse Act (VOCAA), the Victims of Crime Act (VOCA), the CDC Rape Prevention and Education Program (RPE) and related research, and the PROTECT Our Children Act of 2008. The congressional coalition would work to pass comprehensive national legislation, increase federal funding for programs and research, and expand federal incentives to improve state laws to increase the reach of trauma-informed and evidence-informed or based prevention, and effective healing and justice programs to prevent

violence, protect survivors, and reduce the cost of sexual violence against children and adolescents to society. (Legislative; Executive)

3. Establish a diverse, **bipartisan “Keep Kids Safe Commission,”** by congressional statute or executive action, modeled after successful commissions in other countries, such as Australia.

Established through Executive Order or through legislation, the Commission will be comprised of experts including researchers, practitioners, bipartisan policymakers and, importantly, adult survivors to act as a catalyst to collect and synthesize data and research so that policymakers and the public would garner a comprehensive understanding of the crisis, the costs to society, and the potential to scale-up available solutions to prevent, heal, and ensure justice. Modeled after the Commission to Eliminate Child Abuse and Neglect Fatalities² in the United States, and successful commissions in other countries, such as Australia³, the Commission will be directed to focus on systemic issues, be informed by an understanding of individual cases, and make findings and recommendations to better protect children against sexual abuse and alleviate the impact of abuse on children when it occurs. This work would include public hearings, private sessions, a policy and research program, and the development of findings and recommendations. Additionally, we applaud Australia’s leadership in establishing an eSafety Commissioner with the power to deal directly with online child sexual exploitation and support congressional efforts to model this policy and practice in the United States. (Executive or Legislative)

4. **Expand U.S. support for global programs** to end sexual violence against children and adolescents, both through support to U.S. government bilateral programs, as well as a U.S. fair share contribution to the [End Violence Fund](#) to support survivor leadership and implementation of prevention, healing and justice programming at scale. (Annex 5)

Building on U.S. leadership in advancing children’s well-being, there is an important opportunity to galvanize global action to end sexual violence against children and adolescents by increasing international funding to scale prevention, healing, and justice programs, through expanded and strongly coordinated bilateral programs and through multilateral investment opportunity through the End Violence Fund. This investment will elevate the leadership and influence of the United States in addressing gender-based violence across the life-span, and in the protection of children and adolescents from violence globally. (Executive; Legislative)

Details on the implementation approach on these priorities can be found in the Annexes in this Blueprint.

[Keep Kids Safe](#) (KKS) was formed in June 2020 to catalyze a national movement to end sexual violence against children and adolescents by advocating for expanded and comprehensive prevention, healing, and justice policies and programs designed to be implemented across the United States. The unique voices and perspectives of adult survivors of sexual violence as children are at the center of our federal policy efforts. Keep Kids Safe partners and allies created this Federal Policy Blueprint to share a vision for transformative federal policy to go to scale with prevention, healing, and justice policies and programs, including specific objectives that require Executive Action by President Biden and legislative action by the U.S. Congress in our call for social, cultural, and programmatic change.

² <https://www.acf.hhs.gov/cb/report/within-our-reach-national-strategy-eliminate-child-abuse-and-neglect-fatalities>

³ <https://www.childabuserovalcommission.gov.au/>

How will the U.S. look different?	US Government will set goal to end sexual violence against children and adolescents in the U.S.				
What will change for children?	<u>Prevention</u>		<u>Healing</u>		<u>Justice</u>
	Trauma-informed and evidence-informed/ based Prevention efforts will be taken to reach all families, communities, schools, sport and online to ensure the safety of all children.		Children, adolescents and adults who experienced sexual violence will access equitable, child and survivor-centered trauma-informed and evidence-informed/based services and engage in processes that help them heal.		Children, adolescents and adults who experienced sexual violence will access fair, child- and survivor-centered protection and justice.
	Research, evidence, and data will inform prevention, healing and justice.				
How will the change take place?	Social norms are shifted to break the conspiracy of silence.		Transformative policies and programs are developed, implemented, taken to scale, and funded.		
	Stigma will be reduced for survivors and their families.	Awareness will increase, so that sexual violence is seen as widespread and preventable (e.g. empathy skills, consent)	Bold and ambitious global and national agendas will increase attention, pressure, accountability, and political will to act.		Funding will increase significantly.
What needs to change?	Children and adolescents are subjected to global pandemic of sexual violence that affects 1 in 9 boys and 1 in 4 girls, and has lifelong impacts on health and well-being. It happens in homes, in communities, in schools, in sport, in places of worship, and online. Children and adolescents of every age, race, ethnicity, caste, religion, nationality, sexual orientation and gender identity are affected, including structural oppression. Sexual violence needs to be recognized as unacceptable, criminal and preventable. This will require broad and sustained mobilization of survivors and their allies. It will also require a fundamental shift in norms, attitudes and willingness to act.				

ANNEX 1: THE PROBLEM

Children, youth, and families are at a time of crisis across the nation as the health, economic, and social impacts of the COVID-19 pandemic have taken a heavy toll. This crisis has compounded the existing and glaring racial and economic disparities across the U.S. We are at a unique crossroads, pressed with an opportunity to rebuild better systems and create more prosperous futures for all of our nation's children and adolescents with an eye toward promoting long-term racial, ethnic, and socioeconomic equity. The issue of sexual violence against children and adolescents should be a priority within these efforts to build back safer. Given the strong evidence that there is a cycle of violence across the life-span where children who are exposed to violence are at greater risk of either perpetration and/or further victimization in adulthood, prevention and support to child survivors will contribute to preventing violence in the longer term.⁴

There are no reliable estimates of the percentages of children and adolescents in the U.S. that experience some form of sexual violence. However, according to the U.S. Centers for Disease Control and Prevention (CDC)⁵, child sexual abuse is a significant but preventable public health problem. Many children wait to report or never report child sexual abuse. Although estimates vary across studies, the data show:

- About 1 in 4 girls and 1 in 13 boys experience child sexual abuse at some point in childhood.
- 91% of child sexual abuse is perpetrated by someone the child or child's family knows.
- The total lifetime economic burden of child sexual abuse in the United States in 2015 was estimated to be at least \$9.3 billion. This is a conservative figure since an estimated 90% of child sexual abuse is never reported.
- Sexual violence starts early. One in 3 female rape victims experienced it for the first time between 11-17 years old and 1 in 8 reported that it occurred before age 10. Nearly 1 in 4 male rape victims experienced it for the first time between 11-17 years old and about 1 in 4 reported that it occurred before age 10.⁶

In addition, children who are victims of child sexual exploitation are often arrested on prostitution charges and punished as perpetrators rather than seen as victims and survivors who need supportive services⁷:

- In 2019, 214 juveniles were arrested for prostitution and commercialized vice.
- Girls account for approximately 71% of juvenile prostitution arrests.
- Black children make up nearly 51% of all juvenile prostitution arrests, the most of any racial group.⁸

Sexual violence in dating relationships is also unacceptably high for adolescents. According to the CDC⁹:

- About 1 in 8 female and 1 in 26 male high school students report having experienced sexual dating violence in the last year.

The handful of studies that exist show that rates of sexual violence are seven to 10 times higher for children and adolescents with cognitive and physical disabilities. Gender nonconforming and transgender children and adolescents, and LGBTQ+ adolescents are also at greater risk.

Moreover, a recent study indicated that 13% of athletes experienced one form of sexual abuse at least

⁴ <https://www.cdc.gov/violenceprevention/sexualviolence/riskprotectivefactors.html>

⁵ CDC: <https://www.cdc.gov/violenceprevention/childsexualabuse/fastfact.html>

⁶ CDC: <https://www.cdc.gov/violenceprevention/sexualviolence/fastfact.html>

⁷ FBI: <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/tables/table-38>

⁸ FBI: <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/table-43>

⁹ CDC: <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/teendatingviolence/fastfact.html>

once as a child in sport.¹⁰ Further, elite athletes experienced higher rates of sexual assault than lower-level athletes.¹¹ Three out of four American families with school-aged children have at least one child playing an organized sport - a total of about 45 million youth. More than 8 million high school students participate in organized sports, and more than 460,000 NCAA athletes compete in collegiate sports every year. With sport participation levels as they are today, there are an estimated 5.91 million survivors of sexual abuse in sports in the United States alone.

There are many reasons why incidents of sexual abuse go unreported, including the tactics of abusers that make it difficult for children to tell, collusion from family members, repressed memories and disassociation as a means of coping from trauma, legal barriers, and institutions and organizations focused on protecting their reputations rather than the children they serve, etc. With only 12 percent of child sexual abuse reported to authorities each year,¹² studies have shown that underreporting of minor sexual abuse can be attributed in large part to the fact that a majority of child victims do not reveal their abuse until later in life, if at all.¹³ Studies suggest that many victims, as many as 33% never tell anyone they were abused.¹⁴ One study found that 60-80 percent of victims of childhood sexual abuse wait until adulthood to disclose their abuse.¹⁵ In fact, the average age of disclosure of child sexual abuse in a study of 1,000 victims was 52 years old.¹⁶

Finally, research, data, and evidence are essential to effectively understand the magnitude of the problem, support policies and programs that are science and evidence-based, and track progress (or lack thereof) in effectively addressing the problem. In terms of data, it is essential that we institute stronger systems to better understand the magnitude of the problem as well as which interventions are working. Although advances have been made in understanding what actually works to effectively prevent and respond to sexual violence against children and adolescents, significant gaps in understanding still exist. Historically, the U.S. investment in prevention, healing and justice for all forms of sexual violence against children has been woefully inadequate given the magnitude of the problem. These gaps in data and evidence highlight the need for increased investment in research and data collection as an essential component of an expanded and coordinated response.

Sexual violence against children and adolescents is a public health emergency and a gross human rights violation that has been put on the backburner for far too long and has only been exacerbated by the COVID-19 pandemic. Throughout the pandemic, many children have been hidden from safe adults, mandated reporters, and trained educators and childcare workers who could have protected them. Online child abuse and exploitation, already one of the biggest and fastest growing crime challenges nationally, has also spiked as children have spent even more time on the internet. Investing in systems that not only prevent child abuse from happening in the first place but also on those that focus on effective trauma-informed and evidence-informed or based interventions to assist children and families during and

¹⁰ Collins, D. K., Gaffney, D. P., Florence, A., & Gilpin, P. (2021, May 11). Census of Athlete Rights Experiences Report 2021, https://files.cargocollective.com/c520687/World-Players_CARE-Report-2021-.pdf

¹¹ Id.

¹²

https://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf

¹³ <https://www.nsvrc.org/node/4737>

¹⁴ CHILD USA, Delayed Disclosure: A Factsheet Based on Cutting-Edge Research on Child Sex Abuse, CHILDUSA.ORG, 3 (Mar. 2020) available at <https://childusa.org/wpcontent/uploads/2020/04/Delayed-DisclosureFactsheet-2020.pdf>. (citing N. Spröber et. al., Child sexual abuse in religiously affiliated and secular institutions, 14 BMC PUB. HEALTH 282, 282 (2014).

¹⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2809444/>

¹⁶ Hoskell, L. & Randall, M., The Impact of Trauma on Adult Sexual Assault Victims, Justice Canada 30 (2019), available at https://www.justice.gc.ca/eng/rppr/jr/trauma/trauma_eng.pdf (hereinafter "Hoskell").

after crisis is critical. Equally important are systems that can help survivors heal, thrive and seek justice to hold offenders accountable and prevent further victimization. These are critical as America recovers from the pandemic, children re-enter schools, and parents rejoin the workforce.

ANNEX 2: PREVENTION

Sexual violence against children can be prevented, with the last two decades showing considerable advances in evidence-based policies and programs around the world and in some parts of the U.S.¹⁷ However, the U.S. lags behind other wealthy countries in terms of following the science and effectively implementing national level, comprehensive, and equitable primary and secondary prevention training programs, policies and research aimed at preventing abuse before it occurs. More resources are needed to develop, evaluate, and implement evidence-based primary prevention strategies to ensure the safety of all children, which includes increasing funding for community-based organizations focused on prevention.

We urge President Biden and his Administration and the U.S. Congress to consider these building blocks for comprehensive prevention-healing-justice executive action and legislation:

Prevention Training, Programs and Policy

Support healthy development of children. Children need quality relational engagement from adults and supportive communities to develop in healthy ways. Early assessment of Adverse Childhood Experiences (ACEs) followed by adequate support and services can also help to diminish the effect of victimization or the development of abusive behaviors whether face-to face or technology-facilitated.

Promote healthy relationships and through social-emotional learning and child abuse prevention education. Ensure that quality education promoting healthy relationships and healthy sexuality – that is both research-based and developmentally appropriate – is available for all children, youth and the adults who educate them, inclusive of face-to-face and technology-facilitated interactions.

Invest in programs that prevent initial perpetration of child sexual abuse and exploitation. Create policies that support efforts to prevent initial perpetration of child sexual abuse and exploitation, with special attention to children and youth with problematic sexual behaviors, including technology-facilitated interactions.

Increase funding for schools, youth-serving organizations, community-based organizations and child- and family-serving agencies to implement child sexual abuse prevention education training:

- Funding should support training programs to educate all students and all child-serving professionals about the prevention of child sexual abuse and on-line sexual exploitation.
- The training should be trauma-informed and evidence-informed or based, culturally responsive, linguistically correct, include medically accurate information about psychosexual development, and be age/developmentally appropriate.
- New and expanded access to grants with increased funding should be made available to these organizations to build their capacity to develop effective prevention programs and community engagement initiatives to prevent all forms of sexual violence against children, including those working with parents and those focusing on serving communities of color or traditionally underserved communities, including LGBTQIA, in a more holistic manner.
- This instruction should be informed by child and adolescent developmental research, including effects that adverse childhood experiences have on brain development, protective factors, and how to build resiliency.
- Comprehensive training plans should include adequate resources and technical assistance so that all child-serving professionals can receive appropriate pre-service training, in-service and/or

¹⁷ What works to Prevent Sexual Violence Against Children (2019): [https://www.togetherforgirls](https://www.togetherforgirls.org/wp-content/uploads/2019-11-15-What-Works-to-Prevent-Sexual-Violence-Against-Children-Executive-Summary.pdf)

[g/wp-content/uploads/2019-11-15-What-Works-to-Prevent-Sexual-Violence-Against-Children-Executive-Summary.pdf](https://www.togetherforgirls.org/wp-content/uploads/2019-11-15-What-Works-to-Prevent-Sexual-Violence-Against-Children-Executive-Summary.pdf)

continuing education, on-site training and ongoing professional development related to child sexual violence.

- There should be coordination across agencies to develop a framework of mandatory reporting *and response* that includes training on implicit bias, identification of family need, and other issues.
- Youth-serving organizations should be required to implement trauma-informed and evidence-based or evidence-informed prevention policies and practices to safeguard children from abuse.
- Funding will include a requirement that grantees participate in federally funded evaluations of the implementation and impact of the prevention efforts.
- Research is also needed to evaluate the elements of effective policies and practices across sectors, including but not limited to schools, nonprofit organization settings, sports and recreation, and culturally specific organizations.
- Investments are needed in programs that prevent first-time perpetration of youth with sexual behavior problems.

(Note: US needs to develop a standard definition of child-serving professionals)

(Legislative or Executive Budget Directive; U.S. Department of Education, Every Student Succeeds Act eligible uses include child sexual abuse prevention; U.S. Department of Health and Human Services; designate these programs an eligible activity under funding enacted as part of the American Rescue Plan)

Increase funding for schools, youth-serving organizations, community-based organizations, health care, law enforcement, and child- and family-serving agencies:

- Funding should support these organizations to provide training for all professionals designated by state law as mandated reporters.
- The training should be trauma-informed and evidence-informed or based, culturally responsive and linguistically correct. It should include the specifics of how to respond appropriately when a child discloses sexual abuse, the legal responsibilities of mandated reporters within the state, the logistics of how a report is to be made and to whom, i.e. a designated person within the organization and/or child protective services or law enforcement.
- There should be coordination across agencies within a state to develop a framework of mandatory reporter training which includes implicit bias, identification of family-need and other related issues.
- Training should be informed by child and adolescent research, including effects that adverse childhood experiences, including child sexual abuse, can have on brain development, protective factors that can help mitigate the harm, and how to build child resiliency.
- Funding should support colleges, universities, medical schools, law schools, seminaries and other institutions of higher education to provide rigorous training for students entering careers where they will serve either as a mandated reporter or as a child protection professional.
- Training should begin at the undergraduate and graduate levels and, once these students enter child-serving organizations, bridge to in-service training and ongoing professional development.
- The training curricula should be research-supported, trauma-informed and evidence-informed or based, interdisciplinary and incorporate experiential learning, with the inclusion of the intake and investigation process and the impact of the child welfare system on children and families.
- The federal government should also provide training and technical assistance to aid institutions of higher education in developing and implementing courses that meet these standards.

(Note: USG needs to develop a standard definition of child-serving professionals - or provide a definition that includes covered professions. State law already designates which professional group members must report or who is mandated by law to report.)

Interdepartmental Regional Resource Centers for Prevention of Sexual Violence Against Children and Adolescents.¹⁸

Urge the Secretaries of the U.S. Department of Health and Human Services, Education, and Justice to provide immediate funding for a network of interdepartmental Regional Resource Centers to Prevent Child Sexual Abuse to promote and provide training and technical assistance to states around implementation of a set of standards, best policies and practices.

(U.S. Department of Health and Human Services, Education, Justice)

Urge Passage of the Jenna Quinn Law. This bipartisan legislation, named after survivor/advocate Jenna Quinn, is modeled after legislation first passed in Texas that mandates K-12 training for students and adult school personnel. This bill amends CAPTA making federal grants to eligible entities for increasing evidence-based or evidence-informed trainings on sexual abuse prevention education and reporting to teachers, school employees, students, caregivers, and other adults who work with children. Additionally, it ensures these grant recipients coordinate with local educational agencies to make the training available. (Note: Many elements of Jenna Quinn Law require additional funding and oversight to ensure implementation)

(Note: The Every Student Succeeds Act allows states the option to use federal education funding for age- and developmentally-appropriate child sexual abuse awareness and prevention education for K-12 students, school employees and parents. Funding is a substantial roadblock and not all states have passed or implemented such laws. Some elements of Erin's Law were adopted as part of the Every Student Succeeds Act and allow states the option to use current federal education funding for age- and developmentally-appropriate child sexual abuse awareness and prevention education for K-12 students, school employees and parents.)

(Legislative; U.S. Department of Health and Human Services)

Enact bipartisan Child Sexual Abuse Prevention Education Act that models the comprehensive provisions recommended in “A Call to Action for Policymakers and Advocates: Child Sexual Abuse Prevention Legislation in the States.”¹⁹

Educating School and Youth-Serving Organization (YSOs) Employees and Youth

The bipartisan federal Child Sexual Abuse Prevention and Education Act would help protect children from sexual abuse by funding programs in schools and YSOs that provide age-appropriate lessons to early childhood, elementary and secondary school students and evidence-based trainings to school and youth organization employees on how to prevent, recognize and safely report sexual abuse. These trainings would also be made available to parents and guardians. Currently, 33 states and D.C. have passed child sexual abuse prevention “education” legislation; 27 require it and seven only encourage it. However, there is much variability among these state laws. Incentives to states promulgate laws that standardize the education and training of school and YSO employees and students would eliminate these discrepancies. *Additional details can be found in the Call to Action referenced above and footnoted here.*²⁰

Screening of Applicants for Positions in Schools and Youth-Serving Organizations

Training alone, while necessary, is insufficient to address this complex public health problem. Prevention policies paired with training hold the best promise of reducing child sexual abuse and its devastating impact on children, their families and our communities. While only 11 states have passed legislation to address various gaps in current screening policies and practices, none of these state laws include the comprehensive set of provisions required to create a strong safety net for children. To support schools

¹⁸ A Call to Action for Policymakers and Advocates: Child Sexual Abuse Prevention Legislation in the States, Masskids, June 2021

¹⁹ https://www.enoughabuse.org/images/Legislation/A_Call_to_Action-June2021.pdf

²⁰ *Id.*

and YSOs to adopt policies to keep children safe and their institutions better protected from civil and criminal liability from sexual abuse lawsuits, the federal government should incentivize the promulgation of state laws that standardize screening of new school and YSO employees to eliminate applicants who may pose a sexual safety threat to children. Such state laws should prohibit schools and YSOs from entering into confidentiality agreements with employees engaged in sexual misconduct for the purpose of suppressing information or an investigation about the misconduct, and should prohibit the aiding and abetting of an employee engaged in sexual misconduct to secure a position in another school or YSO. *Additional details can be found in the Call to Action referenced above and footnoted here.*²¹ (Legislative; U.S. Department of Education)

Incentivize school districts to include model policies and best practices regarding sexual assault and abuse in sport.

This should include trauma-informed and evidence-informed or based curricula specific to sexual assault in sport, how to report, student athlete rights, model action post-reporting, prevention policies and practices. Additionally, it should include a model sport policy and best practices. All employees and school personnel involved in sport must pass background screenings and complete required training. Educational institutions should have a written policy on handling abuse in sport, with mechanisms to share this policy with student athletes and their parents.

(Note: It is important to note that many sport programs in the U.S. take place outside of the school setting. Model prevention policies and training programs exist for prevention outside of the school setting.

(U.S. Department of Education)

Significantly increase investments in [prevention strategies](#) to reduce sexual violence against children and adolescents, and promote social norms changes, including early childhood empathy building, consent, trauma surveys to youth that might need care and services, programs that support active bystander approaches and those that engage men and boys as allies in changing social norms and engage parents.

Require climate surveys with publicly available results in K-12 education, including adapting Youth Risk Behavior Surveys (YRBS) with questions consistent across states and schools for data collection and measuring culture and climate change to prevent abuse; increased funding for investigations of sexual harassment; and enhance penalties for schools that violate survivors' rights, modeled after the [HALT Campus Sexual Violence Act](#).

(U.S. Department of Education)

Robustly engage the private sector to step up voluntary efforts to address the issue of childhood sexual violence.

Areas of focus could include reducing the threat of the Internet-enabled sexual exploitation of children by the implementation of updated corporate policies and viable technology tools and solutions.²² The appointed White House Czar should consider the establishment of a private sector task force to identify the appropriate areas of engagement.

²¹ *Id.*

²² [Enough is Enough: https://enough.org/objects/Childrens_Internet_Safety_Presidential_Pledge_2020.pdf](https://enough.org/objects/Childrens_Internet_Safety_Presidential_Pledge_2020.pdf) September 30, final draft: U.S. Federal Blueprint to End Sexual Violence Against Children & Adolescents

Prevention Research

Increase funding for sexual violence against children and adolescents research and prevention programs at the Centers for Disease Control and Prevention (CDC). This research should include effects of adverse childhood experiences (ACEs) on brain development, protective factors and resiliency building, among other topics, and should be updated annually. Active involvement of people who have been historically underserved and underrepresented, marginalized, and adversely affected by persistent poverty and inequality - including Black, Indigenous, and people of color, immigrants, diaspora communities, and the LGBTQIA+ community - is essential to ensure that the research is unbiased. Incentives for historically black colleges and universities (HBCUs), minority serving institutions (MSIs) and tribal serving institutions (TSIs) to participate in this research is critical to ensuring unbiased data on minority populations.

- \$33 million for the Essentials for Childhood framework to expand from seven funded states to all 50 states.
- \$10 million in funding for the CDC to expand research for the development, evaluation, and dissemination of child sexual abuse prevention practices, including the thoughtful development and rigorous evaluation of primary prevention interventions for child sexual abuse.
- \$101.75 Million for the CDC Rape Prevention and Education Program²³, and ensure that it also addresses sexual violence against children and adolescents.
(President's FY22 Budget Requests \$101.75 million; FY21 Enacted Level \$51.75; House Approps FY22 LHHS report \$101.75 million)
- Conduct Violence Against Children and Youth Surveys (VACS) in all 50 states. VACs are nationally representative household surveys designed to measure how much and how often physical, emotional, and sexual violence against children and youth occurs globally. Males and females aged 13 to 24 participate in the survey. The survey also captures information about risk and protective factors, as well as the impact of violence. Findings from VACS provide reliable evidence to enable countries to make better decisions about allocating limited resources to develop, launch, and evaluate violence prevention programs and child protection systems. Currently, over 24 countries are actively engaged in this work which is led by the CDC with the United Nations, private sector organizations, governments, and in-country partners. The United States must conduct these surveys domestically in each of the states as part of this global effort.
- Conduct Out of the Shadows Index for all 50 states.²⁴
- Research on trauma-informed and evidence-informed or based coaching programs and curricula to promote positive coaching.
- Provide increased funding for planning grants and for research and evaluation to develop a wider range of innovative evidence-based practices focused on addressing the disproportionate impact of gender-based violence and the barriers of systemic inequities and systemic racism on survivor communities who have been historically underserved and underrepresented, marginalized, and adversely affected by persistent poverty and inequality.

(Note: A 'prevention-healing-justice' Research Agenda should be developed)

(Legislative or Executive Budget Directive; U.S. Department of Health and Human Services)

²³ CDC <https://www.cdc.gov/violenceprevention/sexualviolence/rpe/index.html>

²⁴ <https://outoftheshadows.eiu.com/>

ANNEX 3: HEALING

Healing of individuals and families affected by sexual violence against children and adolescents can occur when safe spaces are provided for survivors to come forward. In those spaces, survivors are believed and supported, and time is created for remembering, reconciling, and releasing the pain, shame and stigma of trauma. Mental health systems and professionals must be equipped to deal with sexual violence trauma that is intersectionally impacted by racial trauma, historical trauma and intergenerational trauma. Black, Indigenous, and people of color (BIPOC) require expanded and specialized child protection services and healing strategies. Multidisciplinary teams are needed for the physical and mental health treatment required immediately following sexual violence.

Those who have been harmed by sexual violence should be treated with care and compassion, and given access to the support and services they need and want. Survivors should be able to dictate their own healing journey without barriers based on money or identity. Survivors should be given the space they need, with the understanding from their family, friends and community that healing is not linear, it isn't always convenient, and often, there is nothing to "get over" but rather finding ways to carry the trauma while moving forward. Survivors should be treated with dignity and recognition of their humanity at every step.²⁵

We urge President Biden and his Administration and the U.S. Congress to consider these building blocks for comprehensive prevention-healing-justice executive action and legislation:

Increase Funding for the Child Abuse Prevention and Treatment Act (CAPTA). CAPTA provides federal funding and guidance to states in support of prevention, assessment, investigation, prosecution, and treatment activities and also provides grants to public agencies and nonprofit organizations, including Indian Tribes and Tribal organizations, for demonstration programs and projects. Additionally, CAPTA identifies the Federal role in supporting research, evaluation, technical assistance, and data collection activities; establishes the Office on Child Abuse and Neglect; and establishes a national clearinghouse of information relating to child abuse and neglect. CAPTA also sets forth a Federal definition of child abuse and neglect. In 2015, the Federal definitions of "child abuse and neglect" and "sexual abuse" were expanded by the Justice for Victims of Trafficking Act to include a child who is identified as a victim of sex trafficking or severe forms of trafficking in persons.²⁶

Robust funding is critical for CAPTA to help state and local systems effectively empower families and communities to be safe and healthy for children to grow and thrive. Congress is currently considering a reauthorization of this legislation. We strongly support and appreciate these bipartisan, bicameral efforts and make the following recommendations:

- *Increase CAPTA Title I State Grants - \$500 million:* Title I grants are given to states to improve child protective services in exchange for compliance with reporting, investigation, and treatment requirements. Grants are used for training mandated reporters, improving assessment, screening, and investigations of cases, and improving investigations of child abuse by creating multidisciplinary teams and interagency protocols. Funds are also used for training and workforce recruitment and retention; supporting interagency collaboration between child protective services and the juvenile justice system; and enhancing data collection systems to track and exchange information.

²⁵ Survivor's Agenda: <https://survivorsagenda.org/agenda/full-agenda/#healing-justice>

²⁶ <https://www.childwelfare.gov/pubPDFs/about.pdf>

- *Increase CAPTA Title II Community Grants - \$500 million:* Title II Community-Based Child Abuse Prevention (CB-CAP) grants are given to a lead agency in each state for community-based programs providing core family resources and family support services. These public-private partnerships use federal funding to leverage greater state and local public and private funds designed to meet the needs of individual communities. Examples include helplines, voluntary evidence-based home visiting programs, parent support programs, and family resource centers. Expanding this program would be transformational for communities and families and could increase leverage to bring other community programs and partners to the table to prevent child abuse. Robust funding for locally driven services is essential to building healthy and thriving communities.
- *Update and Publish the National Incidence Survey:* We support the current reauthorization legislative provision to require the Secretary of the Department of Health and Human Services to conduct research on the national incidence and trends of child abuse and neglect (known as the “National Incidence Survey”) which has not been published since 2010 using data collected in 2005 and 2006. This major, national, multi-method study should be repeated every 3 to 5 years to enable valid and reliable assessment of trends. The legislation also requires the Secretary to include in the report to Congress information on the Secretary’s research priorities; a summary of the research conducted; and the results of the Survey and how the Secretary will improve the accuracy of the information collected.

(President’s FY22 Budget requests \$120M State Grants; \$80M CB-CAP; & \$35M Discretionary Grants.) (FY21 Enacted \$90M State Grants; \$60M CB-CAP; & \$35M Discretionary; House Approps FY22 LHHS report \$125 million State Grants, \$90 million Community Grants and \$42 million Discretionary)

(NOTE: New Senate CAPTA reauthorization draft authorizes \$270M for Title I and \$270M for Title II) (Legislative; U.S. Department of Health and Human Services)

(NOTE: American Rescue Plan, passed in March 2021, includes \$350 million to CAPTA - \$100M for Title I and \$250 for Title II).

Victims of Crime Act (VOCA) Bridge Funding.

The Keep Kids Safe Coalition along with other organizations and survivors across the country applaud Congress for recently passing the VOCA Fix to Sustain the Crime Victims Fund Act (“VOCA Fix Act”) and President Biden for signing this important legislation into law. This bipartisan effort stabilizes the Crime Victims Fund and prevents ongoing, catastrophic cuts to programs that provide services and direct funding to victims.

Grants from the Victim of Crime Act (VOCA) provide funding for crime victim services nationwide, but have faced devastating cuts in recent years, as a result of an increase in the use of deferred prosecution agreements in federal white collar criminal cases that are a major source of the funds. The VOCA Fix Act redirects monetary penalties from non-criminal settlements into VOCA funding, allocating an additional \$4 to \$7 billion to support crime victims service providers, trauma recovery centers, and state victim compensation programs. The legislation also removes unnecessary barriers to accessing the grants – it directs states to temporarily suspend the requirement that service providers produce funding to match their VOCA grant during and up to a year after the pandemic, and allows states to continue doing so in the future. The removal of this barrier will allow more community-based organizations, which are often best positioned to support diverse victims, to become eligible for the essential funding.

In addition to passing the VOCA Fix, it is important to note that while the cost of and need for funding for victim services has increased substantially, victim service programs have seen substantial cuts in VOCA grants over the past few years because of the very problem that the VOCA Fix addresses. The passage of the VOCA Fix in July should solve this funding crisis in the long-term, but because it will take time for

additional money to accrue to VOCA's Crime Victims Fund (CVF), Fiscal Year 2022 VOCA grants are likely to receive appropriations cuts.

As a result, we request at least \$500 million in supplemental funding this year to address the current cuts to VOCA and to help bridge the gap until the Crime Victims Fund has been replenished. These supplemental dollars are aimed at reducing the impact of the current VOCA cuts. We recommend that the funding be allocated directly to the state formula for victim assistance and compensation, and directly to tribes. If supplemental funding cannot be allocated directly to VOCA in a possible reconciliation package, we still ask for this \$500 million in supplemental funding to be allocated to the Judiciary Committee, and the Committee can take other steps to reduce cuts to Fiscal Year 2022 VOCA grants.

We remind Congress about the impact of the budget deal in 2015. In that deal, Congress and the Administration took \$1.5 billion from the Crime Victims Fund. Survivors were deprived of investments in services. \$500 million in supplemental funding would restore just a fraction of what was taken from the CVF in 2015.

Increase funding for the Victims of Child Abuse Act to \$50 million.

Increase funding to the over 900 Children's Advocacy Centers (CACs) around the country which coordinate the investigation, treatment, and prosecution of child abuse cases by utilizing multidisciplinary teams of professionals involved in child protective and victim advocacy services, law enforcement and prosecution, and physical and mental health. It also provides vital resources to the four geographically dispersed Regional Children's Advocacy Centers which provide resources to state chapters as well as training and technical assistance to multidisciplinary teams nationwide, including dedicated support and access to services to tribal communities with Centers serving American Indian/Alaskan Native children. VOCAA also provides training, technical assistance and other vital resources to child abuse prosecutors throughout the United States. Robust funding through the Victims of Child Abuse Act will not only assist in critical organizational center capacity but will also assist Centers in meeting these and other necessary needs so that abused children and their families can heal.

(\$50 million requested in Fiscal Year 2022 President's Budget; FY 21 Enacted Level \$30 million; House FY22 CJS report \$40 million)

(Legislative; U.S. Department of Justice)

Fund child advocacy training in post-secondary education.

In 2012, the U.S. Attorney General's Task Force on Children Exposed to Violence recommended improved undergraduate and graduate training of future child protection professionals and called for a "national initiative to promote professional education and training on the issue of children exposed to violence" at home, in their neighborhood, and in schools. The task force specifically asks academic institutions to "[i]nclude curricula in all university undergraduate and graduate programs to ensure that every child-and-family-serving professional receives training in multiple evidence-based methods for identifying and screening children for exposure to violence." The task force also included sexual abuse of children in its definition of violence as well as physical abuse, intimate partner violence, and exposing children to violence.²⁷ The U.S. Department of Justice has provided some funding for this work, and early research is promising, a more robust investment is needed.²⁸

(FY21 Enacted Level \$1 million) (Legislative or Executive Budget Directive; U.S. Dept of Justice).

²⁷ Report of the Attorney General's Task Force on Children Exposed to Violence (2012). <https://www.justice.gov/defendingchildhood/cev-rpt-full.pdf>

²⁸ For an overview of the research supporting this reform, as well as the work that has been done to date, see Victor I. Vieth, Betsy Goulet, Michele Knox, Jennifer Parker, Lisa B. Johnson, Karla Steckler Tye, and Theodore P. Cross, *Child Advocacy Studies (CAST): A National Movement to Improve the Undergraduate and Graduate Training of Child Protection Professionals*, *Mitchell Hamline Law Review* 1129-1159 (2019).

Expand community-based workforce of mental health care support workers.

- Establish criteria for eligibility and training requirements for certification of eligible members of nonprofit organizations and the community as extended mental health care support workers.
- Fund through the comprehensive Community Health Centers the provision of psycho-social spiritual care to individuals experiencing spiritual trauma related to sexual violence against children and adolescents by certified Extended Mental Health Care Support Workers.
- Provide compensation to Community Health Centers for care provided by certified extended mental health support workers under the supervision of a qualified mental health professional.
- Provide targeted funding for culturally specific community-based organizations primarily focused on enhancing access to services and well-being for survivors from communities of color, immigrant communities, and other underserved and underrepresented communities.

(Executive; Department of Health and Human Services)

Explore and invest in demonstrations of culturally-rooted, community-based programs that address the issue of child sexual violence with comprehensive mental health services, family and trauma-informed and evidence-informed or based counseling, remedial justice strategies, strengthening the child welfare and foster care systems, and investments in community accountability processes that may be applicable in some situations related to children and adolescent survivors of sexual violence.

(Executive: Interagency)

ANNEX 4: JUSTICE

Every child victimized by sexual abuse is entitled to safety, healing, and justice. Government serves an important role in protecting public safety and ensuring justice for these victims. We need to ensure that victims and survivors have the means and opportunity to access survivor and child-centered justice, to vindicate their rights, and to receive every type of support they need. We also need to ensure that perpetrators and the institutions that enable abuse are held accountable and that further victimization is prevented. We need new paradigms for interrupting cycles of sexual violence and longstanding oppression and discrimination, including transformative justice that includes reform approaches to policing and incarceration, and addressing the abuse to prison pipeline for vulnerable and marginalized children and adolescents.

One of the biggest and growing crime challenges nationally is the dramatic spike in online child sexual abuse and exploitation. The proliferation of images and videos featuring sexual abuse and torture of children has increased exponentially. In many cases, perpetrators are hands-on offenders. In 2018, tech companies reported an astounding 45 million online photos and videos of children being sexually abused – more than double what they found the previous year. We must recognize the scope of child sexual abuse materials (CSAM) and online child sexual abuse and exploitation and provide a comprehensive approach to combatting online exploitation. This includes robust services to victims of CSAM and investigative technology tools to pace the ongoing and ever-evolving threat and help victims seek justice.

We urge President Biden and his Administration and the U.S. Congress to consider these building blocks for comprehensive prevention-healing-justice executive action and legislation:

Protect Children from Institutionalized Abuse by Allowing them Access to Justice

Incentivize States to Eliminate Criminal Statutes of Limitation and Eliminate or Extend Civil Statutes of Legislation for Crimes of Sexual Violence Against Children and Adolescents.

(Legislative and/or Executive)

With only 12 percent of child sexual abuse reported to authorities each year,²⁹ studies have shown that underreporting of minor sexual abuse can be attributed in large part to the fact that a majority of child victims do not reveal their abuse until later in life, if at all. One study found that 60-80 percent of victims of childhood sexual abuse wait until adulthood to disclose their abuse.³⁰ For those brave enough to come forward, most victims miss the deadline for obtaining justice because the trauma affects victims in a way that causes them to delay disclosure of their abuse until many years later. Studies show the average age child sex abuse victims tell anyone they were abused is 52.³¹

One of the egregious barriers to justice for child sex abuse victims is short statutes of limitation, which stand in the way of both criminal prosecution and civil remedies in many states and for thousands of victims. Access to justice varies widely depending on the geographical location of the abuse. Without access to the courts, victims cannot get the truth to the public and are forced to bear alone the costs of the abuse. Short SOLs for child sex abuse play into the hands of the perpetrators and the institutions that cover up for them; they disable victims' voices and empowerment. Making the system accountable

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https://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf

³⁰ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2809444/>

³¹ CHILD USA, *Delayed Disclosure: A Factsheet Based on Cutting-Edge Research on Child Sex Abuse*, Childusa.org, 3 (Mar. 2020) available at <https://childusa.org/wpcontent/uploads/2020/04/Delayed-DisclosureFactsheet-2020.pdf>. (citing N. Spröber et. al., *Child sexual abuse in religiously affiliated and secular institutions*, 14 BMC Pub. Health 282, 282 (2014). September 30, final draft: U.S. Federal Blueprint to End Sexual Violence Against Children & Adolescents

requires, at a minimum, legal penalties. The clear trend is toward state expansion and elimination of civil and criminal child sex abuse statute of limitations (SOLs), including revival of expired claims.³² Yet, because each state has different SOLs, survivors across the United States have vastly different rights and abilities to access justice. The time has come for change at the federal level. Congress can play a role by incentivizing the states to improve their statutes of limitations to speed these needed reforms.

- **Amend CAPTA funds to incentivize states to eliminate civil and criminal statutes of limitation and revive time-barred civil claims for child sex abuse cases.** Allocation of federal funds would be tied directly to the number of reforms achieved and are in addition to any funds States are eligible to receive under the current CAPTA provisions.
(Legislative or Executive Budget Directive; U.S. Department of Justice)
- **Use STOP Grant funds to incentivize states to eliminate civil and criminal statutes of limitation for child sex abuse cases.** States could qualify for an increase under the STOP formula grant equal to not more than 5% of the average of the 3 most recent awards to that State.
(Legislative or Executive Budget Directive; U.S. Department of Justice)
- **Support the No Time Limit for Justice Act:** This bicameral legislation would incentive states to eliminate their statute of limitations for criminal prosecution and civil suits involving child sexual abuse. The federal criminal code does not impose a statute of limitations for child sexual abuse. However, in the majority of states, statutes of limitations deprive victims and survivors of child sexual abuse of the opportunity to heal and seek justice from their abusers. Only seven states—North Carolina, South Carolina, Kentucky, Maryland, Virginia, West Virginia, and Wyoming—have eliminated statutes of limitations for all felony sex crimes.³³

The No Time Limit for Justice Act would allow victims of child sexual abuse to seek justice and finally have their day in court. Specifically, the bill would provide states with a five percent increase in Federal grant funding under the Services, Training, Officers, Prosecutors (STOP) program to help train law enforcement and prosecutors in addressing child sexual abuse. States are eligible for funding if they have:

- Eliminated the statute of limitations for prosecuting child sexual abuse
- Eliminated the statute of limitations civil suits involving child sexual abuse.

The STOP Grant is the largest program under the Office on Violence Against Women that provides formula funding to states for victim services, and training for law enforcement and prosecutors to constructively address sexual violence, dating violence, domestic violence, and stalking.

Amend the Title IX Regulations to Set a Federal Statute of Limitations Standard

Establish standards that would apply uniformly to all abuse survivors, regardless of geographic boundaries, preempting states with too-short SOLs. These changes would apply retroactively to revive any previously time-barred claims. There is a tragic epidemic of sexual assault at our schools and on our college and university campuses. Studies suggest that nearly 1 in 10 students will be the target of sexual

³² See CHILD USA, History of US SOL Reform: 2002-2020, CHILDUSA.ORG (last visited August 8, 2021), available at www.childusa.org/sol-report-2020; 2021 SOL Tracker, CHILDUSA.ORG (last visited August 8, 2021), available at www.childusa.org/2021sol.

³³ <https://www.rainn.org/state-state-guide-statutes-limitations>

misconduct by a school employee by the time they finish high school.³⁴ Approximately 1 in 5 female students and 1 in 16 male students are sexually assaulted while attending college.³⁵ For victims at institutions subject to federal Title IX requirements, their claims against the educational institution are governed by states' statutes of limitations. This creates vastly different access to justice based solely on where victims live when they suffer abuse.

(Legislative and/or Executive)

Amend Federal, Chapter 11 Bankruptcy Laws that Shield Bad Actors to Accommodate the Needs of Child Sexual Abuse Victims.

Presently, bankruptcy bar dates are set without reference to the relevant state statutes of limitations, but for the benefit of the organization. This forces victims to come forward before their claims have expired under state law, and before they are psychologically prepared to do so. This practice not only protects negligent organizations by allowing them to avoid in-depth discovery regarding their bad acts, but it also deprives many victims of the support they need to heal. Aggregation of claims enables these corrupt organizations to significantly reduce their individual settlement payouts such that victims get fractions on the dollar compared to what they could have recovered through civil tort proceedings, and certainly not enough to cover the lifelong costs associated with their abuse. Meanwhile, these institutions emerge from bankruptcy proceedings intact. To that end, the following changes should be made:

- **Amend Chapter 11 federal bankruptcy laws** to 1) set a liberal bar date for child sexual abuse claims so they are not penalized by a short statute of limitations (reserve continuing fund for future claims, especially where there is a discovery rule); 2) require federal bankruptcy court to conduct discovery for each claim to uncover and disclose to public institutional failures to protect children; 3) permit a victim impact statement by each survivor prior to reorganization plan approval; 4) require all courts to complete a trauma-informed training on child sexual abuse and best administration practices, 5) require a neutral forensic accountant to evaluate a debtor's assets prior to approval of a reorganization plan; 6) forbid the state statute of limitations from impacting the classification of a claim; and 7) exclude from Chapter 11 entities that recklessly permit children to be sexually abused.

(Legislative; U.S. Department of Treasury)

- **Alternatively, exempt child sexual abuse claims from discharge under Chapter 11 bankruptcy.**

(Legislative; U.S. Department of Treasury)

Amend RICO to expand its application to include organizations that have perpetuated child sexual abuse, exploitation, or trafficking. Add a predicate act for institutions that foster child sex abuse by negligently failing to report suspected or known child sex abuse in the organization. RICO provides criminal penalties and civil causes of action for wrongful conduct by organizations, closing a loophole to hold accountable those who have ordered or assisted others in causing harm. Child sexual abuse and child online exploitations are heinous crimes and the organizations responsible for perpetuating these harms must be held accountable, exposing predators and harmful practices and encouraging organizations to uphold strict child abuse prevention policies.

(Legislative; U.S. Department of Justice)

³⁴ Shakeshaft, C., *Educator sexual misconduct: A synthesis of existing literature*. US Department of Education, Policy and Programs Studies Service (2004), available at <https://www2.ed.gov/rschstat/research/pubs/misconductreview/report.pdf>.

³⁵ Krebs, C. P., et. al., *The campus sexual assault (CSA) study: Final report* (2007) available at <http://www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf>.

Amend Eligibility for Federal Tax-Exempt Nonprofit Status to Exclude Organizations That Fail to Fulfil a Mandate to Report Child Sexual Abuse. Any organization that benefits from the provisions of 26 U.S.C.A. § 501(c)(3) should not be able to enjoy tax-exempt status if it fails to fulfil a mandate to report known or suspected child sexual abuse. We would, therefore, recommend adding the following language:

- 26 U.S.C.A. § 501(c)(3) tax-exempt nonprofit status. Add subsection “Except that any such organization who has failed to report any instance of child sexual abuse shall be deemed ineligible from claiming exempt status effective the date the organization knew or should have known of the abuse.”

(Legislative; U.S. Department of Treasury)

Develop, Enact and Fully Fund the Violence Against Children Act

Develop a bi-partisan bill called the Violence Against Children Act, which directs \$5 billion in mandatory funding to enact the statute of limitations incentivization, Title IX statute of limitations reform, bankruptcy reform amendments, RICO expansion, and Tax-Exempt Status for organizations that fail to report child sexual abuse.

(Legislative; U.S. Department of Treasury)

ONLINE CHILD SEXUAL ABUSE & EXPLOITATION

Increase Funding for the Missing and Exploited Children’s Program.

Administered by the Department of Justice Office of Juvenile Justice and Delinquency Prevention, the Missing and Exploited Children’s program funds the National Center for Missing and Exploited Children (NCMEC), the Internet Crimes Against Children (ICAC) Task Force Program and related training and technical assistance; the national AMBER Alert program, and other training and technical assistance programs focused on investigating and preventing child victimization, including child sexual abuse, online child sexual abuse and exploitation, and child sex trafficking. NCMEC operates the CyberTipline which allows the public and electronic service providers to report online child sexual abuse imagery. NCMEC triages the tips and determines which ICAC Task Force jurisdiction it belongs to, and whether it is a level one, two, or three in severity and level of danger to the child. The ICAC program supports the task forces in responding to online exploitation, conducting proactive and reactive cases, conducting forensic examinations, providing training to law enforcement, and providing public awareness and prevention programs.

(\$120 million requested in Fiscal Year 2022 President’s Budget; FY21 Enacted \$94 million; House FY22 CJS report \$109 million)

(Legislative or Executive Budget Directive; U.S. Department of Justice)

Increase Funding for Homeland Security Investigations and Cyber Crimes Center.

- **Homeland Security Investigations - \$100 million:** Funding to support Homeland Security investigative efforts to increase capacity to interdict child sexual abuse image offenders and to increase efforts to identify the over 11,000 children seen in child sexual abuse images who remain unidentified.
- **Homeland Security Investigations Cyber Crimes Center - \$20 million:** To support C3 child exploitation investigations, forensics and child victim identification efforts including funds to support additional salaries, training, and equipment to combat child exploitation crimes.

Pass the Bipartisan, Bicameral Eliminate Network Distribution of Child Exploitation, or END Child Exploitation Act³⁶.

The END Child Exploitation Act was first introduced in December 2019 following the release of a New York Times investigative report highlighting disturbing growth in online child exploitation across the country. The report found that technology companies reported more than 69 million images and videos depicting abuse in 2019. Currently, these companies are required to retain information on these images for 90 days after reporting the material to the National Center for Missing & Exploited Children (NCMEC). However, this timeframe is often not enough for under-resourced law enforcement to conduct the necessary investigative process. The END Child Exploitation Act doubles this time frame to 180 days and ensures these companies are legally able to retain the material longer if needed to prevent the proliferation of child exploitation material.

(Legislative; U.S. Department of Justice)

Enact the Eliminating Abusive and Rampant Neglect of Interactive Technologies Act (EARN IT Act³⁷.

Section 230 of the Communications Decency Act gives “interactive computer services” significant immunity from civil liability, as well as state criminal liability for third party content on their platforms. Given this limited liability, many companies do not aggressively go after online child sexual exploitation.

- Creates a strong incentive for the tech industry to take online child sexual exploitation seriously. The bill amends Section 230 of the Communications Decency Act to allow companies to “earn” their liability protection for violations of laws related to child sexual abuse material.
- Establishes a National Commission on Online Child Sexual Exploitation Prevention to recommend best practices related to identifying and reporting online child sexual exploitation. The Commission consists of the heads of DOJ, DHS, and FTC, along with 16 other members appointed equally by Congressional leadership, including representatives from: law enforcement, survivors and victims’ services organizations, constitutional law experts, technical experts, and industry.
- Allows for Congressional review of best practices. Before companies can certify compliance, there is a period of Congressional review for the Commission-developed best practices.
- Safe harbors for liability. Companies can choose to certify compliance with best practices in order to maintain immunity from child sexual abuse material statutes. If companies do not want to certify compliance with best practices, they can maintain immunity by establishing that they have other reasonable practices in place to prevent child sexual exploitation.
- Recourse for survivors and tools for enforcement. The bill bolsters enforcement of child sexual abuse material statutes and allows survivors civil recourse if companies choose not to comply with best practices or establish reasonable practices.

(Legislative)

(Please Note: There is some concern that the current bill text is vague and could delegate too much authority to the Commission.)

End the Sexual Abuse to Prison Pipeline for Girls.

For girls, one of the main predictors of entry into the juvenile justice system is sexual abuse. The Sexual Abuse to Prison Pipeline is a term used to describe the pathways of gendered violence that lead girls into the juvenile justice system as a direct result of their victimization. There is a direct correlation between girls’ high rates of sexual abuse and their increased involvement in the juvenile justice system. The proportion of girls - especially girls of color - in the juvenile justice system is increasing and rates of

³⁶ <https://www.congress.gov/bills/117/congress/house-bill/1198?q=%7B%22search%22%3A%5B%22end+child+exploitation+act%22%5D%7D&s=1&r=2>

³⁷ <https://www.congress.gov/bills/116/congress/senate-bill/3398?q=%7B%22search%22%3A%5B%22Eliminating+Abusive+and+Rampant+Neglect+of+Interactive+Technologies+Act%22%5D%7D&s=4&r=1>

sexual abuse are more than four (4) times higher for girls in the system than boys. Research has illuminated the link between girls' trauma and the widening law enforcement net in which girls are caught, most in minor offenses. The juvenile justice system typically fails to address, and often exacerbates, trauma that caused girls to be there. This trauma is criminalized, reinforcing the sexual abuse to prison pipeline.

- **Strengthen the JJDP.** Passed in 1974, the Juvenile Justice and Delinquency Prevention Act (JJDP) is the single most comprehensive federal legislation that governs conditions of confinement for youth and delinquency prevention. The JJDP sets standards for states' operation of juvenile justice systems, provides federal funding to improve the juvenile justice system and to prevent delinquency, and establishes State Advisory Groups, among other provisions. The JJDP, last reauthorized in 2018, expires in 2023. During reauthorization of the JJDP, we support the recommendations highlighted in *The Sexual Abuse to Prison Pipeline: The Girls' Story*.³⁸
- **Close the Valid Court Order Loophole.** The JJDP prohibits youth from being incarcerated for status offenses, such as running away or truancy. In 1980, however, Congress created a loophole in that ban: the Valid Court Order (VCO) exception. The VCO exception allows children to be detained if they violate court orders that prohibit them from committing enumerated status offenses. For example, if a court issues an order that forbids a girl from running away, she can be sent into the juvenile justice system under the VCO exception if she later does so. Girls often engage in these behaviors in response to abuse or trauma; for example, running away to escape an abusive situation at home or in foster care.

Enforce laws that prevent sexual exploitation of children online.³⁹

The increased use of the internet has enabled offenders to groom children online, and to exchange information and advice on how to abuse children and avoid detection. Internet safety is a growing public health issue and is now the fourth top ranked issue in the list of health concerns for children in the United States. There are existing laws in place to prevent the sexual exploitation of children online, including federal obscenity laws, child pornography laws, and sex trafficking laws. Enforcement of existing laws and their prosecution should be prioritized and funded by the Department of Justice to protect the welfare of families and children as child predators seek influence through advances in technology.
(U.S. Department of Justice)

Direct and Fund Research at the National Institute of Justice focused on sexual violence against children and adolescents to include online exploitation.

(U.S. Department of Justice)

³⁸ https://rights4girls.org/wp-content/uploads/r4g/2015/02/2015_COP_sexual-abuse_layout_web-1.pdf

³⁹ https://enough.org/presidential_pledge

ANNEX 5: GLOBAL PROGRAMS

Violence against children and adolescents globally is a major public health and human rights concern. Sexual violence against children is widespread, especially for girls. Global estimates show that 120 million (or one in 10) girls under the age of 20 have experienced some form of forced sexual contact.⁴⁰ Global estimates for boys are currently not available. However, an analysis of available data for over 50 countries (high-, middle-, and low-income countries) shows that sexual violence in childhood ranged from 8% to 31% for girls and 3% to 17% for boys.⁴¹ UNICEF estimates that approximately 21% of girls globally is married before their 18th birthday⁴², and the International Labor Organization estimates that there are about 10.1 million children who are victims of human trafficking globally.

Children with disabilities are three to four times more likely to experience physical or sexual violence. Displacement, migration and humanitarian crises further expose children and adolescents to sexual violence. There are currently 79.5 million forcibly displaced people worldwide, forty percent of whom are children. On a global scale, violence against children is estimated to cost as much as \$7 trillion annually, yet the US only spends about half a percent of overseas development assistance (ODA) on programs that focus on ending violence against children.

To help bring an end to all forms of violence against children, 10 agencies with a long history of galvanizing a consistent, evidence-based approach to preventing violence against children collaborated to develop [INSPIRE](#)⁴³ — a group of strategies and technical guidance distilled from the best available evidence and with the greatest potential to prevent and respond to physical, sexual, and emotional violence against children. Similarly, a global review of global evidence that builds on INSPIRE, the What Works to Prevent Sexual Violence Against Children and Adolescents Evidence Review⁴⁴, has identified numerous, effective evidence-based strategies that should be taken to scale globally.

The Biden/Harris administration has already made a public commitment to addressing gender-based violence globally. This commitment should include a life-course approach, ensuring that violence against children and adolescents (especially sexual violence) is adequately addressed. Historically, the U.S. Government has achieved important results for children through foreign assistance funding and is providing robust funding and support to programs addressing violence against children and adolescents more broadly as well as gender-based violence. This support, however, is highly dispersed and fragmented across multiple entities within USAID, the Department of State and HHS. Building on U.S. initiatives, the Administration and Congress should strengthen and expand U.S. leadership to galvanize global action to end sexual violence against children and adolescents by increasing international funding to scale prevention, healing, and justice programs. Ensuring strong high level interagency coordination will also elevate the leadership and influence of the United States in addressing gender-based violence across the life-span, and in the protection of children and adolescents from violence globally.

We urge President Biden and his Administration and the U.S. Congress to consider these building blocks for comprehensive prevention-healing-justice executive action and legislation:

40 World Health Organization (2020). Global Status Report on Preventing Violence Against Children. [file:///Users/danielaligiero/Downloads/9789240004191-eng%20\(1\).pdf](file:///Users/danielaligiero/Downloads/9789240004191-eng%20(1).pdf)

41 Ligiero, D., Hart, C., Fulu, E., Thomas, A., & Radford, L. (2019). What works to prevent sexual violence against children: Executive Summary. Together for Girls. www.togetherforgirls.org/svsolutions.

42

43 World Health Organization (2016): World Health Organization,

[20https://www.google.com/url?q=http://who.int/violence_injury_prevention/%2520violence/inspire/en/&sa=D&source=editors&ust=1623278169609000&usg=AOvVaw1aOO3D0dPrDfEWIacynl4](https://www.google.com/url?q=http://who.int/violence_injury_prevention/%2520violence/inspire/en/&sa=D&source=editors&ust=1623278169609000&usg=AOvVaw1aOO3D0dPrDfEWIacynl4)

44 Ligiero, D., Hart, C., Fulu, E., Thomas, A., & Radford, L. (2019). What works to prevent sexual violence against children: Executive Summary. Together for Girls. www.togetherforgirls.org/svsolutions.

Appoint a U.S. Global Coordinator with the responsibility to coordinate all investments in the prevention and response to violence against children and adolescents across interagency partners working these issues on an international scale.

(Executive; U.S. Department of State)

Amend the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005.

This legislation needs to be amended to update and strengthen existing U.S. Government efforts to end violence against children, improve coordination among agencies addressing this violence, as well as the use of evidence-based strategies and critical information gathering capabilities.

(Legislative; U.S. Department of State)

Provide \$35 million for the Vulnerable Children account, which is provided via the Displaced Children and Orphans Fund (DCOF).

This funding is needed to support the care and protection of vulnerable children around the globe. USAID has given particular attention to children who are living outside of family care; have been trafficked; are experiencing violence; are affected by, or are emerging from, armed conflict or humanitarian crises; have disabilities; are orphans; or are otherwise vulnerable. A higher level of investment would allow USAID to fully fund monitoring and evaluation efforts to identify effective and efficient interventions outlined in the implementation plan of the interagency 2019-2023 Advancing Protection and Care for Children in Adversity Strategy (APCCA). This level of investment would also further programming focused on child-safeguarding initiatives, both online and offline, among U.S. government personnel and partners and strengthening social service workforce capacity.

(Note: FY22 House State/Foreign Ops Appropriations mark is \$30 million for Vulnerable Children, of which \$4 million is for Blind Children)

(Legislative or Executive Budget Directive; U.S. Department of State)

Provide \$5 million for the Department of State Child Protection Compact (CPC) Partnership.

The CPC Partnership is a jointly developed, multi-year plan aimed at bolstering efforts to combat child labor and sex trafficking. The CPC Partnership, with support from the Trafficking in Persons (TIP) office, seeks to hold perpetrators of child sex and labor trafficking accountable under the law, provide comprehensive services for child trafficking survivors, and expand child trafficking prevention and awareness.

(Legislative or Executive Budget Directive; U.S. Department of State)

Provide \$50 million to support Violence against Children Surveys and technical assistance on violence prevention and response globally through the Center for Disease Control and National Center for Injury Prevention and Control.

Violence Against Children Surveys (VACS) are nationally representative household surveys of children and young adults aged 13-24 years. The data collected can inform steps already being taken to address violence against children and give insight into where these can be strengthened or expanded. In addition, findings can help raise awareness of the scope of the problem, support outreach and advocacy, and bring in new and diverse stakeholders. National government commitment and the required development of a national action plan to address the findings ensures that evidence will lead to action and increased local technical capacity to address violence against children. CDC is uniquely placed to play an important role in supporting global data collection through the VACS, and also through additional technical assistance to national governments and partners to support the implementation of evidence-based programs and policies, as well as sustainable quality violence monitoring systems.

(Legislative and/or Executive Budget Directive; U.S. Department of State; CDC)

Provide \$30 million for the implementation of a coordinated and comprehensive effort to end child marriage and meet the needs of married girls.

The 2013 reauthorization of the Violence Against Women Act (VAWA) mandates the State Department to develop and implement a comprehensive strategy to end child marriage by directing U.S. foreign assistance to programs in countries where child marriage is prevalent.

(Legislative and/or Executive Budget Directive; U.S. Department of State)

Provide \$100 million for the U.S. Department of Labor Bureau of International Labor Affairs (ILAB).

A report looking at U.S. Government spending in Fiscal Year 2015 indicates that ILAB accounts for nearly half (48 percent) of all U.S. Government spending on efforts to prevent and address violence against children. These projects most commonly provide education and life skills to children and youth and give their parents support to allow children to stay in school rather than work. ILAB also reports on consumer products made through forced or child labor. The requested funding would allow ILAB to continue its work to prevent and respond to exploitative child labor by restoring Fiscal Year 2014/2015 levels, increase technical assistance for worker rights to countries with which the U.S. has trade agreement or preference programs to ensure consistency with expanding U.S. trade commitments, and continue the strong evaluation of programs.

(President's Fiscal Year 2022 budget requests \$121.751 million; FY 21 Enacted \$96.125 million)

(Legislative and/or Executive Budget Directive; U.S. Department of Labor)

Provide \$250 million for the End Violence Fund.

The [End Violence Fund](#), hosted by the [End Violence Partnership](#), is a flexible funding vehicle that identifies new and emerging challenges to SDG 16.2 and invests in initiatives that have the potential to replicate and scale. Fund investments typically have both direct impact for children and also generate data, evidence and learning that inform policy and increases the impact of other programs to end violence and sexual abuse against children. The Fund has raised \$73 million since 2016, mainly for work to protect children from online sexual abuse and exploitation, and to make sure that children are safe to learn. This funding has come primarily from the governments of the United Kingdom, Japan, Switzerland and Sweden, and from private foundations. The End Violence Fund has a proven track record and is the only global funding mechanism ready to deliver prevention, healing, and justice programs at scale focused on sexual violence against children and adolescents.

Social norms are rapidly shifting, and movements of survivors and allies are mobilizing to break the conspiracy of silence and end the stigmatization of survivors and raise broad public awareness, so that sexual violence is widely recognized, understood, and seen as a preventable, unacceptable, and criminal act. The End Violence Fund is part of a movement actively advocating for a \$1 billion from partner governments, private foundations, and corporations to end sexual violence against children and adolescents. As part of its foreign assistance funding, the U.S. should contribute its fair-share to the Fund to: (1) support global-scale prevention, healing, and justice programs to end sexual violence against children; and (2) support survivor leaders and survivor engagement in collective advocacy. Currently, most programs operating at the community and national levels in countries around the world are underfunded, siloed, and fragmented with respect to implementation of expanded and comprehensive prevention-healing-justice programs and policies.

(Executive Budget Directive, U.S. Department of State/USAID; Legislative; Proposed Appropriations from Title 2 Development Assistance, Global Programs)