

**BEFORE THE SENATE JUDICIARY COMMITTEE  
IN SUPPORT OF HB 2494  
DETECTIVE VICTORIA FOGARTY  
BONNER SPRINGS POLICE DEPARTMENT  
MARCH 5, 2012**

Chairperson Owens and Committee Members:

My name is Detective Victoria Fogarty and I appear on behalf of children in support of HB 2494. I am employed by Bonner Springs Police Dept. I have been investigating the sexual abuse of children for over 15 years. To say that I am passionate about my job would be an understatement.

I, along with the Kansas Fraternal Order of Police, brought this issue to the attention of Attorney General Schmidt and Assistant Attorney General Kyle Smith, who listened and saw the need to change the statute of limitations for sexually violent offenses when the victim is a child. Let me say unequivocally, there is a need for this change. I can cite many cases to support my stance, which I will go into detail if you ask me to, but I would rather explain why a victim of child sexual abuse is so hesitant to disclose abuse.

Whenever I have to tell a parent or guardian that their child has been molested their typical response is disbelief and usually followed by, "It can't happen in my family, I could tell if someone I know is an abuser". Everyone thinks they know what a molester looks like. They believe it's the long hair guy hiding behind the tree in a trench coat. That's not who the typical molester is. What people need to realize is that the molester is someone you know, love or trust. It's someone you don't perceive as a danger. It's the grandfather, the Nana, the neighbor, the coach, the teacher. The molester is a person that you never perceive as the danger, one who looks and acts normal.

Now imagine being the 5, 10 or 15 year old who is being molested by the favorite uncle, the beloved grandfather, the step parent or the gentle female neighbor. Everyone loves that person...the molester. Parents think he's great; they encourage, even make the victim spend time with him, never realizing he or she is a molester. The time the child spends with the molester is dark because abuse is happening.

The child wonders how I can make this stop. Very often they are told by the molester that no one will believe them, or that they will be placed in foster care or worse, their parents will blame them for allowing the molestation to occur. Sometimes they are threatened into silence. The child is terrified and alone. They are scared into silence.

It takes courage for a child to break their silence and say, someone I know, love and trust is touching me in a way I don't like and I want it to stop. Sometimes a child does tell right away,

only to be told they are lying. Most times a child, the victim, will wait years to gather the strength to say, he touched me. Some never do tell. One victim told me, "I don't want my dad to think he raised me wrong". That statement haunts me to this day. The burdens victims carry with them are heavy. It's like walking off a cliff; it's a leap of faith to disclose. They are so afraid of being judged. Afraid that their parents will look at them differently. Afraid that they won't be believed.

After I have told a parent that their child has been molested, many will tell me how close they are to their child and their child can tell me anything. Parents will argue with me until I ask them, did you ever tell your mom how good your first boyfriend or girlfriend, kissed in graphic detail. Most replied, are you crazy. It's then that the parent understands their child's silence and the difficulty a child faces when disclosing that that someone both the child and parent knows, loves and trusts has molested them.

Sexual abuse of child is a crime of silence. Please indulge me as I share one of my investigations with you. I interviewed a little girl; let's call her Sally, when she was 10 years old. Her uncle had been arrested for molestation and there were concerns that Sally was victimized by him. She didn't disclose. Fast forward six years, I was notified Sally had disclosed abuse at the hands of her uncle. During an interview I conducted with Sally I asked her why she hadn't told me six years earlier. Sally answered very quietly, "he just scared the living hell out of me and I was just afraid... I was afraid that he would hurt me again. I was afraid that he would kill me. I was afraid that he would hurt my family and that's something that I couldn't...I couldn't bear that."

In closing, Sally's statement is far more eloquent than anything I can add on why this bill needs to be passed. Please give me the tools so that when victims are able to gather the strength to say the words, I am a victim, I can have the opportunity to help them.

Thank you for giving me the opportunity to address this committee.

Respectfully Submitted,

Victoria L. Fogarty  
Detective  
Bonner Springs Police Dept.

