

House Bill 2306

Judiciary Committee
Rep. Fred Patton, Chair

10 February 2020

Dear Mrs. Holscher,

I understand you are sponsoring a bill that would change Kansas' law on the issue of statute of limitations as related to victims/survivors pursuing civil litigation.

Last week, I testified in the Justice Appropriations Sub-Committee in Florida. I am a survivor of long-term sexual abuse as a child-abuse that continued for 15 years.

Granted, I testified to remove the SOL in Florida, I believe survivors should have the ability to seek justice in the criminal and civil courts in all states.

The question many ask is why I didn't report this abuse for 40 years. My story is the same as many survivors. My abuse started at the age of 5 and continued until the age of 15. I was threatened, by my father if I told anyone, no one would believe me. He continued to threaten abuse to everyone in our house. And, for me I also experienced beating with a leather strap or his belt. When I say beating, I experienced beating that would have me urinating on myself and the floor. I would also have black and blue marks that would last for days.

As an adult, I still remained silent. I remained silent so my mother would not face the wrath of my father, and she had no ability to support herself. It never occurred to me that by contacting my brother (in the Air Force) or my sister (she was newly married with a small child). My mother did not work, nor did she drive. The verbal and emotional abuse extended to her and continued until the day she died. I did not cut ties with my father prior to my mother's death because by doing so would keep me away from my mother. And, I could never let that happen.

Because of the abuse, I have experienced severe depression, PTSD, trust issues, and hyper vigilance, I did not learn I experienced all these issues due to the sexual assault. I have also experienced insomnia, and night terrors.

My case is the same as many other victims/survivors. Never getting closure because of fear remained. I never spoke of it because I learned at a young age to never speak of it and act like it never happened. This takes a toll on a person. I never acknowledged I could achieve a good career. My ambitions could never make it through the thick walls built out of the pain and agony of abuse. See, I felt I would never be believed. The 1 of the 2 times I did tell someone, backfired. I told my band instructor, in high school. He in turn spoke to the dean and she in turn called my father. Why she contacted the abuser I have no clue. And, because of this action, I was grounded to my home, and only able to attend school. I lost the privilege of my car and any outings planned. I was virtually a prisoner.

This act of reaching out for help backfired. And, because of this I didn't tell another soul until I married my first husband. And, he used this knowledge to say I shouldn't have custody of my kids because I was a victim. But that attempt backfired on him. And, again I learned by telling anyone, would only be used against me. When I met with doctors, I would deny any childhood abuse.

Because of the abuse, my emotional development was slowed because I was just looking to survive. It is sad, I wasn't able to experience a happy childhood.

Many victims turn to drugs, alcohol or even the sex trade. I'm one of the lucky ones. I never turned to these in fear I would disappoint my mother.

I didn't try to achieve justice until March 2015. My mother died in August 2014. I then wrote my father an email regarding the abuse. He never acknowledged or responded to the email. It was from this email my brother learned of the abuse. He confronted our father and his response was my sister and I could not prove it.

November 2014, my sister, brother and I confronted, my father of this and he said he couldn't remember what happened 40 years ago. I will note he spoke of experiences from the Korean War, family activities and conversations 40 and 50 years ago. But he refused to acknowledge the abuse. March 2015 my sister and I filed a police report and it was forwarded to 6 jurisdictions and SOL ran out years ago. In fact, in 1977 the SOL in Florida, for victims/minors, was 4 years after the age of 18. At this time in my life I was still trying to survive. I will also note that the reasons I had a 4-year SOL was because I was 12 years 6 months. The state of Florida rounded my age to 13. In 1977 if I had been 12 years and 5 months, they would have presented this case to the grand jury. But, since I was considered 13, nothing could be done.

Also, there is no avenue for me to pursue civil litigation. So, I go on with my life and continue therapy. I hope by telling my story, you see why many victims take decades to come forward. I know many feel there shouldn't be able to submit a claim at any time because the life of the abuser could be ruined by the allegations. I ask, aren't the victims lives worth anything. We have suffered for decades and expect to still remain silent.

Please vote yeas on HB 2036, so victims can pursue civil litigation with hopes they may receive a monetary judgment for damages and to help with the expenses incurred because of the abuse. Thank you for allowing me to tell my story

Respectfully,

Kim Jaime