

# Trafficking Victims & Survivors Law Center

www.traffickinglawcenter.org

(503) 224-5950  
P.O. Box 13276  
Portland, OR 97213  
joel@traffickinglawcenter.org

May 17, 2019

TO: Senate Judiciary Committee

RE: Written testimony of Joel Shapiro, Executive Director, Trafficking Law Center  
in support of HB 3293

Chair Prozanski and Members of the Senate Judiciary Committee:

The Trafficking Law Center strongly supports HB 3293. The Trafficking Law Center works to support human trafficking victims and survivors by providing *pro bono* legal services, raising awareness, and educating the public and policymakers on human trafficking issues.

HB 3293 would extend to seven years the statute of limitations for filing a civil claim based on sexual assault, rape, sexual abuse, and sexual exploitation – including sex trafficking. (*See* Section 2, (2)(c) of the bill.) This important provision would advance the rights and remedies available under Oregon law to victims and survivors of sex trafficking.

ORS 12.117 already affords an extended statute of limitations for commercial sexual exploitation (and other sexual offenses) that occur before a child turns 18. Sex trafficking victims may be exploited as minors or adults, and many experience exploitation that began in childhood and continued into adulthood. Survivors who've experienced sexual trauma often aren't able to come forward and talk about that trauma for many years after it is experienced. This is true even more so for sex trafficking victims, who've been subjected to persistent, complex, severe trauma – often over an extended period of time.

While not allowing for as long an extension of the statute of limitations for such conduct inflicted upon adults as ORS 12.117 does for minors, HB 3293 would create an important and justified change by extending the time limit for filing a civil claim to seven years from the discovery of the causal connection between the harm and the injury suffered by the victim.

This policy change is justified by advances in our knowledge of psychology, neurobiology, and case studies of trauma victims. It is simply not realistic, nor is it just, to require victims of sexual trauma to process, report, and pursue legal claims within a short time period. Of note, federal law already recognizes this reality. 18 U.S.C. § 1595 provides a 10-year statute of limitations for sex trafficking civil claims. Sex trafficking victims should not be afforded substantially less protection under Oregon law than they are granted if they choose federal jurisdiction.

In working directly with survivors of sex trafficking, I have often heard them say that because of the shame, guilt, fear, and trauma connected to their exploitation, they were unwilling or unable to disclose what had happened to them for many years after it occurred. This is consistent with what psychological and sociological evidence substantiates about trauma. Based on both first-hand knowledge and scientific evidence, the Trafficking Law Center strongly supports the passage of HB 3293.

The Trafficking Victims & Survivors Law Center is a program of  
the Charitable Partnership Fund, an Oregon 501(c)3 nonprofit.