



*A collective voice promoting community responsibility so that every child is protected from child abuse, including child sexual abuse.*

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**Testimony of Cathleen Palm on House Bill 2318  
Before the Pennsylvania House of Representatives Education Committee  
September 19, 2012**

**Introduction**

Good afternoon, Chairman Clymer and Democratic Chairman Roebuck and Members of the House Education Committee. My name is Cathleen Palm and on behalf of the Protect Our Children Committee (POCC), I appreciate the invitation to speak to the importance of Representative Mauree Gingrich's efforts to prevent child sexual abuse and exploitation, in part, through school-based and age-appropriate education.

By way of background, POCC was founded in 2003 as a volunteer-led coalition of child advocates, physicians, victim services and child welfare professionals coming together to secure state constitutional and legislative changes permitting child testimony by means other than face-to-face (e.g., closed-circuit television or videotape).

POCC remains Pennsylvania's collective voice promoting community responsibility so that every child is protected from child abuse, including child sexual abuse.

We have appreciated the Pennsylvania General Assembly's partnership with us to secure a number of legislative reforms beyond child testimony including:

- Assuring that mandated reporters of suspected child abuse file a report regardless the alleged perpetrator;
- Requiring county and state multidisciplinary reviews after a child dies or nearly dies from child abuse and that the resulting recommendations and reports be publicly released;
- Creating Citizen Review Panels and ensuring that the Commonwealth is compliant with the federal Child Abuse Prevention and Treatment Act (CAPTA); and
- Assuring the state's eligibility for a share of federal Children's Justice Act (CJA) funding.

In April 2011, POCC called for the creation of a Task Force on Child Protection and Accountability citing troubling shortcomings in the Commonwealth's approach to defining, reporting and investigating child abuse. After the arrest of serial child predator Gerald Sandusky, we renewed the call for a Task Force, which the General Assembly and Governor Corbett then created in December 2011. We are confident in the work of Pennsylvania's Task Force on Child Protection and look forward to the release of comprehensive and child-centered recommendations later this fall.

### **More than 1,800 Pennsylvania children and youth sexually abused in 2011**

The numbers of individuals impacted by child sexual abuse is sobering - 1 in 4 girls and 1 in 6 boys will be sexually assaulted before the age of 18, according to well-cited research.

Last year, more than 1,800 Pennsylvania children were the victims of substantiated child sexual abuse, according to the Department of Public Welfare's (DPW) Annual Child Abuse Report. These 1,816 child victims were both male and female. They were sexually abused by a parent, a paramour of the parent, someone older than 14 living in the same house as the child or a person directly responsible for the welfare of the child.

I won't divert your attention to other critical child protection issues, but it is important to underscore today that those 1,816 child sexual abuse victims **only** include children who were abused by a person who can be a "perpetrator" under Pennsylvania's Child Protective Services Law (CPSL). In other words, that number doesn't fully capture the Pennsylvania children sexually assaulted by a sports coach, grandparent, neighbor, member of the clergy, family friend, teacher, or uncle.

Beyond these 1,816 child victims, Pennsylvania's state child abuse hotline – ChildLine - referred another 3,885 calls to law enforcement for investigation. ChildLine did not forward these reports to a children and youth agency for investigation, but instead to law enforcement because the suspected crime against the child was alleged to have been committed by a person who could not be a "perpetrator" under the CPSL (e.g., the child's parent, paramour of the parent, person over the age of 14 living with the child or someone directly responsible for the welfare of the child).

### **Child abuse is consequential and costly**

While we are focused today on child sexual abuse, it is imperative to remember that child sexual abuse often occurs within the context of other forms of child maltreatment, like physical or emotional abuse. So our continued task must be protecting children from all forms of child maltreatment.

Most experts agree that investment in prevention is worthwhile, both in dollars saved and the adverse childhood experiences avoided. Child abuse, including child sexual abuse, inflicts a significant human and fiscal toll on the individual child, society and public sector budgets.

The Centers for Disease Control and Prevention (CDC) recently noted that the "total lifetime estimated financial costs associated with just one year of confirmed cases of child maltreatment" in the United States is approximately \$124 billion.

The CDC study examined the costs associated with confirmed child abuse (1,740 fatal, 579,000 non-fatal cases) during a 12-month period and the lifetime costs associated with each victim who survived was estimated at \$210,012 –more than \$43,000 of which was linked to health care expenses. Researchers have long known that adverse childhood experiences, including child sexual abuse, have long term health and fiscal consequences. By comparison, other chronic health conditions like living with type 2 diabetes have a lifetime estimated cost for the affected individual at between \$181,000 and \$253,000.

### **93 percent of children are abused by a person they know**

Parents, schools and even law enforcement spend at least some time acquainting children with the concept of stranger danger. Children are taught not to talk to strangers, to share too much personal information in-person or online and definitely not to head into the car of the man who claims to be searching for a lost puppy.

Parents and society have long struggled to strike the right balance between preserving innocence with providing children with critical information and tools to keep them safe.

That balancing act gets more complicated by the proliferation of language and perceptions that children are sexually abused by monsters.

But is it really monsters that prey on our children?

Permit me to share a personal reflection. On the morning after Mr. Sandusky was convicted and newspapers all across Pennsylvania had an oversized picture of him being sent to jail in handcuffs, my 6-year-old son asked me who he was. I said “he hurt a lot of children.” To which my son asked, “Are you sure momma he looks like a good guy?” When I assured him he had hurt many children he still remained in disbelief pointing out “but he’s a coach.”

Any effort to prevent child sexual abuse and to create effective prevention education services requires accurate facts, including that 93 percent of children are sexually abused by someone they know and likely trust or is trusted by their family.

So we can talk till we are blue in the face about not talking to strangers, but we do our children a disservice if we don’t spend equal, if not more, time talking with them in an age-appropriate and healthy way about their body and how it functions. Remember the body responds to touch – even bad or inappropriate touch within the context of a sexual assault – in a way that may not be perceived by the child to be a bad touch. In fact, how a child’s body responds may become part of how the perpetrator continues to have the upper hand telling the child “you know you like it” or “you know it feels good.”

Without honest and open discussions and accurate prevention education, child sexual abuse will continue, as Pennsylvania Attorney General Linda Kelly has stated, “to thrive in the darkness - fed by fear and threats, shame and secrecy.”

### **Powerful testimonial to school-based prevention education**

As important as each of our testimony is today, we could well be silent and instead just direct your attention to the powerful court testimony of a teenager in Cumberland County last month.

She survived the victimization of a perpetrator now convicted on 42 counts related to the sexual abuse of four children. The youngest victim was 3-years-old and another child victim had not yet celebrated a 5<sup>th</sup> birthday, but already showed signs of having a sexually transmitted disease.

During the course of the trial the 15-year-old girl, who had been sexually assaulted over the course of many years, testified that she thought what was happening to her – the strip poker that led to sexual acts – was part of what “every kid did.” She testified to how the perpetrator said he was just “teaching” her about “how to have sex....that it was all right, that he was doing nothing wrong.”

She also testified that it was the age-appropriate child sexual abuse education offered to her in 5<sup>th</sup> grade that led to her understanding that sexual abuse is wrong and it should not be part of any child’s life story.

Without her access to child-centered prevention education in her school, her perpetrator would most likely still be grooming and victimizing other vulnerable children.

Former United States Surgeon General David Satcher (1998 -2002) released a Call To Action Report to Promote Sexual Health and Responsible Behavior. In the course of identifying strategies, schools were noted as “great equalizers” and the need for sexual abuse prevention programs was promoted.

More than a decade later, House Bill 2318 again recognizes the need for and value of enlisting schools in a critical public health priority – preventing child sexual abuse and exploitation.

School-based and age-appropriate child sexual abuse and exploitation prevention initiatives, as envisioned in House Bill 2318, are imperative as we search to utilize a full set of tools to protect the state’s children.

### **Building upon the work of other states**

Over the last several years Erin Merryn has brought her passionate plea for legally encouraged school-based child sexual abuse and exploitation to states all across the country. Indiana, Illinois, Maine, and Missouri have passed some version of Erin’s Law.

Illinois enacted its law in 2011 (Public Act 096-1524) with a recognition that preventing child abuse and protecting children is a community responsibility. The legislation discussed how policies might “address without limitation:

- “(1) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;
- (2) actions that a child who is a victim of sexual abuse should take to obtain assistance and intervention; and
- (3) available counseling options for students affected by sexual abuse.

The Illinois law also created a temporary Task Force on the Prevention of Sexual Abuse of Children. Michigan is also working its will on a version of Erin’s Law.

Meanwhile several years ago, Vermont amended its definition of “health education” related to “how to recognize and prevent sexual abuse and sexual violence, including developmentally appropriate instruction about promoting healthy and respectful relationships, developing and maintaining effective communication with trusted adults, recognizing sexually offending behaviors, and gaining awareness of available school and community resources.” The law also encouraged schools to help provide a mechanism by which parents, guardians and other interested parties could be educated about child sexual abuse.

### **Observations and recommendations about House Bill 2318**

Under current Pennsylvania law (Title 23 – Child Protective Services Law), sexual abuse or exploitation is defined as any of the following:

- (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct.
- (2) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in simulation of sexually explicit conduct for the purpose of producing visual depiction, including photographing, videotaping, computer depicting and filming.
- (3) Any of the following offenses committed against a child:
  - (i) Rape.
  - (ii) Sexual assault.
  - (iii) Involuntary deviate sexual intercourse.
  - (iv) Aggravated indecent assault.
  - (v) Molestation.
  - (vi) Incest.
  - (vii) Indecent exposure.
  - (viii) Prostitution.
  - (ix) Sexual abuse.
  - (x) Sexual exploitation.

Title 18 (Crimes Code) also includes a definition of sexual abuse of children and sexual exploitation of children.

House Bill 2318 requires clarification and emphasis that the intended prevention education is to address both child sexual abuse and exploitation. Its language should be consistent with current law.

Also, consideration should be given to involving not just the Pennsylvania Department of Education but also the Departments of Health and Public Welfare as well as external experts in the development of a multidisciplinary prevention plan, including the role of schools.

For instance, The Pennsylvania Coalition Against Rape (PCAR) and its 50 affiliated local rape crisis centers provided school-based prevention education to 473,238 children in state fiscal year 2010-2011. PCAR and its local centers are likely not alone in such education efforts.

Any emerging efforts should build upon existing research-based prevention efforts with an eye toward minimizing any challenges schools might face in offering this prevention service.

Also worthy of continued attention is the degree to which prevention services have declined, if not been eliminated, in our schools, as a consequence of the Great Recession.

**Conclusion**

On behalf of POCC, I've appreciated the opportunity to recognize and support the work of Representative Gingrich and this Committee to encourage schools to infuse age-appropriate child sexual abuse and exploitation prevention education into their curriculum.

This is one ingredient toward realizing our shared goal that fewer Pennsylvania children and youth face the scourge of child sexual abuse.

In closing, I hope you will also permit me a personal reflection.

I can personally speak from the perspective of being the child who spoke up about being sexually abused. Each adult I disclosed my abuse to had their own reason for not being ready or prepared to take action. Today we share a common bond – the choices made became defining moments in each of our lives, including leading all of us to now be fiercely committed to protecting every child.

In my view, what our children need is a fundamental shift in the paradigm from one where the burden falls to the child to protect themselves to one where adults – in our homes, schools and communities - recognize it is their role and responsibility to protect children.

Finally, as critical as legislation is, the real opportunity for lasting change rests with ensuring every child is connected to at least one nurturing and protective adult.

Thank you again for all of your good work on behalf of Pennsylvania's children. Together we have much work still to do, but united we can and will make a difference.