

TESTIMONY OF MICHAEL BIGOS, ESQ., for MAINE TRIAL LAWYERS ASSOCIATION  
IN SUPPORT OF  
**LD 589, An Act To Provide Access to Justice for Victims of Child Sexual Abuse**  
March 17, 2021  
Judiciary Committee

Senator Carney, Representative Harnett, and Honorable Members of the Judiciary Committee my name is Michael Bigos. I live in Auburn. I am a trial attorney at Berman & Simmons law firm (800-244-3576), and I am a Past President of the Maine Trial Lawyers Association. The Maine Trial Lawyers Association strongly supports LD 589.

No one is safe if perpetrators of sexual abuse are unaccountable. All victims of sexual abuse should be able to hold their abusers accountable, especially when a governmental entity or governmental actor contributed to the injury.

LD 589 would allow victims of sexual abuse to seek justice for claims barred by the MTCA statute of limitations if they come forward within a two-year window. That would be an incredibly helpful change for victims to come forward.

As others testified today, the nature of child sexual abuse injuries frequently results in victims not coming forward for years or decades because of the psychological injury and victims' survival instincts. Injuries from sex abuse are very different than fractures or other physical injuries.

This legislation is timely because child sexual abuse was not widely reported and known to be as prevalent when the current law and statute of limitations was enacted as it is today. The past two decades have brought to light both major abuses and abusers. The legislature didn't have the information we have now to draft a trauma-informed and policy-based law that it does based on examples of widespread abusers like the Catholic Church, Boy Scouts of America, or coaches.

The average age of adults reporting sexual abuse as a child is 52 years old. Victims should not be prohibited from seeking justice when child sex abuse was going unchecked for years because society favored silencing victims and didn't understand the psychology behind the trauma of children repressing sexual abuse or fear of coming forward. There is a major power imbalance when a child is abused, and they are pressured to keep quiet by their abusers.

We urge the committee to support LD 589. Thank you. I would be happy to answer any questions.