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### Testimony Provided On Colorado House Bill 1011

© (2008) By Vicki Polin, MA, NCC, LCPC, ATR-BC

Testimony provided on February 6, 2008 at the legislative hearing in Denver, Colorado on House Bill 1011.

My name is Vicki Polin. I am the founder and executive director of The Awareness Center, which is the international Jewish Coalition Against Sexual Abuse/Assault. I am both a Licensed Clinical Professional Counselor and a Nationally Certified Counselor. I have just under twenty-five years of experience working in the sexual trauma field in various capacities. My credentials also include qualifying as an expert witness and provided testimony on cases related to childhood sexual abuse and neglect. I have also provided educational programming for organizations and universities across the US and in Israel.

Besides being a psychotherapist and a rape victim advocate, I am also a survivor of incest.

In addition to my abuse at home I was sexually abused on various family vacations across the United States and in Canada.

One such vacation was in July of 1968. I had just turned 9-years-old. I remember being so excited that we were going to Colorado. It meant being able to go horseback riding in the Rocky mountains and seeing snow in the summer time.

Unfortunately my families summer vacation were not all good. Besides the wonderful experiences of that trip, there was also a traumatic event that has been embedded in my memory. It was of being brutally raped at a hotel which was located just outside of Colorado Springs, CO.

Estimates of the number of incest survivors vary. These discrepancies can be attributed to the fact that incest remains an extremely underreported crime. According to statistics from the National Center for Victims of Crime, 46 percent (46%) of children who were sexually violated, were victimized by a family member.

I personally feel it is cruel and unusual punishment to even considering placing a statutes of limitations on filing civil suit in cases involving survivors of childhood sexual abuse. There are many reasons why I say this. One major reason is that it takes most survivors many years to be in a place where they are ready and willing to enter into counseling and begin to deal with the horror of their childhood. It's also known in the clinical world that there are certain times that a survivor is more likely to go for help. These times include:

- Right after the abuse happened if they tell their parents and or have other support,
- When the survivor is old enough and capable of leaving home,
- Around the time the survivor is thinking about



marriage or get married,

- When the survivor or their spouse is pregnant or right after their child is born,
- When the survivors own children reach the age they were when they themselves were abused,
- But most common is when they are in their forties or fifties. This is an age that most adults can focus in on themselves, they start reflecting on their lives and have the time to deal with things they never resolved.

To explain why the windows legislation is so important I would like to share my story with you. My story is not that much different than many other incest survivors.

To the outside world I grew up in a typical upper middle class, loving, suburban family. A family in which both of my parents were seen as honorable and respected. My father worked long hours and my mother was very active volunteering time at the local PTA and with Girl Scouts.

My parents always wanted the best for their children. There

was always enough food on our table, we lived in a safe home and neighborhood, we were well clothed and went on many wonderful family vacations. We were a family that did things together.

Unfortunately, there was another side to my childhood -- one in which was supposed to be kept secret. I was taught from a very early age that it was important to be "loyal to the family". Meaning what went on at home was supposed to be kept secret.

No one would have ever guessed that my mother was being battered or that my father had an explosive temper. Like many other children who grow up in an abusive environment, my siblings and I believed it was much better for us to use our tiny little bodies as shields to protect our mother from being hurt.

There was another secret that I kept for many years. I was being sexually abused at home. I don't know how old I was when the sexual abuse began. When I was young I just thought that was one of the many ways a parent would express love to a child. At first the abuse was done with tender loving care. As I got older I started feeling funny about what was happening. By the time I was in high school I began to refuse to be touched sexually. Unfortunately, doing so made the physical abuse get worse. I didn't know what to do to make the emotional, physical and sexual abuse stop.

During my high school years my guidance counselor was aware that something was wrong at home. I didn't have the vocabulary to tell him what it was. I would just say "my father was being mean again". Eventually I trusted him enough to show him the bruises on my arms. At one point he brought me to the school nurse who told me "my bruises wouldn't photograph well enough, and there was nothing they could do."

When I was sixteen I attempted suicide for the first time. I remember my school counselor asking me if I was being sexually abused at home? My response to him was no. I figured what good would it do to say yes? He wasn't even able to help me with the physical abuse, and I was also just too embarrassed to open up.

Both the physical and sexual abuse ended when I was in my early twenties. Unfortunately, on many levels the psychological and emotional abuse continues to this day.

Over the years, as I've been on my own healing journey I've thought about filing a civil suit against my parents, yet I could never bring myself to doing that. My parents were not always mean or cruel. They were often very loving and kind. I always wanted to believe that they loved me, that they really cared about me. I often made excuses for them that they just didn't know any better.

When I was twenty I confronted my mother for the first time about both the physical and sexual abuse. Her reaction was to tell my father what I said. At first both of my parents disclosed to me that had also been sexually abused as children. But, even after disclosing their own abuse histories, both my parents denied ever being abusive towards me in any way.

Because I refused to recant my story, I was basically cut out of the family. There were a few brief respites of my exile, yet from that point on I basically no longer had parents, aunts, uncles, cousins, or siblings. I was no longer invited to family functions. I was not allowed to watch my nieces or nephews grow up. I was no longer seen as part of my family. I became nobody's child.

Through the years I felt both anger and sadness for what happened to me. I yearned to be part of my family.

I would often ask myself, how does one sue their parents? How does one emotionally put themselves into a place to do such a thing?

The first time I disclosed to an adult that I was being physically abused was when I was in sixth grade. I was twenty when I first disclosed that I was being sexually abused. Last year at the age of 47, I reconnected with a relative who I hadn't seen in about twenty-five years. It was after that interaction I began to seriously consider filing a civil suit against my parents. What had stopped me in the past was that I had fantasied that a miracle would happen and there would be some sort of reconciliation. If I filed a civil suit all bets would be off for my fantasy to become reality.

Perhaps most stunning, that same relative disclosed that she was ordered not to communicate with me until after the statute of limitations for filing a civil suit had expired. . Once that date passed, she told me had no idea of how to find me.

Learning that I couldn't stop crying. It finally hit me how much I've lost. I finally found the courage to seek out an attorney to file a civil suit against my offenders. The problem was that in the eye's of the law it has taken me too long to come to this point.

I am not alone. Many adult survivors of child sexual abuse are also facing the same stumbling block as I did. Without the "Window legislation" that would either change or abolish the statute of limitations filing a civil suit, my offenders and the offenders of other survivors can never be held accountable for their actions.

