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CENTER FOR JUSTICE & DEMOCRACY RELEASES
NEW STUDY ON SEXUAL ASSAULT AND CIVIL JUSTICE

The Center for Justice & Democracy at New York Law School (CJ&D) released a new report today, *The Importance of Civil Justice to Sexual Assault Survivors and the Devastating Consequences of “Tort Reform*. Written by CJ&D’s Emily Gottlieb, Deputy Director for Law & Policy, and Joanne Doroshow, Executive Director, the study shows how civil cases can help survivors in ways the criminal justice system cannot. They can assist survivors with the financial burdens of an assault as well as provide victims with a forum to hold perpetrators directly accountable.

The report also demonstrates how so-called “tort reform” laws, such as limits (a.k.a., “caps”) on damages, can greatly harm sexual assault victims. For example, while both non-economic (for suffering, trauma) and punitive damages are often appropriate in an assault case, both have been targets of the “tort reform” movement. As a result, caps now exist in a number of states, benefiting rapists and others who commit sexual violence.

The study comes as an increasing number of high-profile sexual assault cases have been filed against the Catholic Church and several religious cults, physicians like USA Gymnastics’ Larry Nassar and University of Southern California’s George Tyndall, and entertainment moguls such as Bill Cosby and Harvey Weinstein. These are among the many types of assailants described in CJ&D’s study, all of whom have been the focus of state tort cases that have been filed, resolved or pending since 2016. Among the other perpetrators discussed: adult care staff, airplane passengers, Boy Scout leaders, drivers, massage therapists, restaurant employees, school employees and students, security guards and sports coaches.

In addition, C&D’s report comes as several states have lifted or are considering lifting statutes of limitations laws, which can completely block access to the courts for sexual assault victims. Oftentimes, these laws keep survivors from even filing a civil case, protecting rapists and other sexual abusers, as well as third parties who facilitate assaults. The study’s Appendix contains a simplified state-by-state listing of statutes of limitations laws and caps that apply in tort cases against sexual assailants.

Click [here](#) for a copy of the full report and summary fact sheet.

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