Justice Denied

There is a silent epidemic of childhood sexual abuse in the United States, and a legal system that is not effectively protecting children from predators. Recent coverage of widespread abuse in the public schools and in churches has brought the once-taboo subject of childhood sexual abuse to the forefront. The problem extends well beyond schools and churches, though: the vast majority of survivors are sexually abused by family or family acquaintances with 90 percent of abuse never reported to the authorities. Despite increasing awareness of the problem, current law does little to identify predators. Popular legal fixes, like sex offender registries, increased sentences, and pedophile-free zones, are ineffective without that knowledge. Marci A. Hamilton proposes a comprehensive yet simple solution: eliminate the arbitrary statutes of limitations for childhood sexual abuse so that survivors past and present can get into court. Most states have such short statutes of limitations that survivors cannot get to court before the doors are locked shut. Removing this arbitrary barrier would permit survivors to unmask their perpetrators, and open a path to justice and public vindication. Standing in the way, however, are formidable opponents such as the insurance industry and the hierarchy of the Roman Catholic Church.

In Justice Denied, Hamilton predicts a coming civil rights movement for children and explains why it is in the interest of all Americans to allow victims of childhood sexual abuse this chance to seek justice when they are ready.

Marci A. Hamilton is one of the United States’ leading church/state scholars, as well as an expert on federalism and representation. Hamilton is Visiting Professor of Public Affairs at the Woodrow Wilson School and the Kathleen and Martin Crane Senior Research Fellow in the Law and Public Affairs Program, Princeton University, and holds the Paul R. Verkuil Chair in Public Law at the Benjamin N. Cardozo School of Law, Yeshiva University. She is the author of the award-winning God vs. the Gavel: Religion and the Rule of Law (Cambridge University Press 2005). Hamilton is a former clerk to Justice Sandra Day O’Connor and is also a columnist on constitutional issues for www.FindLaw.com.
I dedicate this book to the millions of survivors of childhood sexual abuse, who deserve their day in court.

I also dedicate it to my wonderful husband,
Peter Kuzma, our two terrific children,
Will and Alexandra, and my mother, GrandCarol.
Thanks for your love, patience, and support!
Justice Denied
What America Must Do to Protect Its Children

MARCI A. HAMILTON
Princeton University
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