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KIMBERLY B. CUNNINGHAM

January 12, 1990

Honorable John D. Hopper  
Senate of Pennsylvania  
Room 182, Main Capitol Building  
Harrisburg, PA 17120

Re: Senate Bill 634

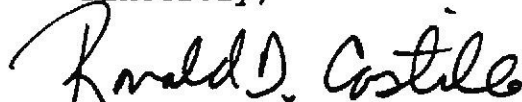
Dear Senator Hopper:

I am writing to you in support of Senate Bill 634, which tolls the statute of limitations when a child under the age of 18 is sexually abused. Senate Bill 634 has received the unanimous support of the Executive Committee of the Pennsylvania District Attorneys Association. I expect that full membership support will be forthcoming at our Annual Summer meetings.

There is a critical need for this amendment as presently serious child sexual abuse cases are defeated under the current inappropriate statute of limitations. For instance, recently in Wayne County a young retarded girl was found to be sexually abused by a non-custodial adult in her community during 1985 and 1986. These matters did not come to light until 1989. The defendant raised a pre-trial two-year Statute of Limitations argument, as the tolling of the statute of limitations did not apply because there was no family or custodial arrangement between the victim and the defendant. As the two-year statute of limitations for statutory rape did apply, the defense argument prevailed.

This tragic and unjust situation would be completely remedied by Senate Bill 634 which provides that the statute of limitations does not run when a child is sexually abused, endangered or corrupted. I urge you to do all that you can to ensure Senate Bill 634's enactment.

Sincerely,

  
RONALD D. CASTILLE  
Legislative Chairman

/psj

cc: Senator Stewart J. Greenleaf  
James P. MacElree, II, President, Pennsylvania District  
Attorney Association  
Raymond L. Hamill, District Attorney of Wayne County