

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Bruce Crippen on January 19,
1989, at 10:00 A.M. in Room 325.

ROLL CALL

Members Present: Chairman Bruce Crippen, Vice Chairman Al
Bishop, Senators Tom Beck, Mike Halligan, Bob Brown,
Bill Yellowtail, Joe Mazurek, Loren Jenkins, R. J.
"Dick" Pinsoneault, John Harp.

Members Excused: NONE

Members Absent: NONE

Staff Present: Valencia Lane, Staff Attorney; Rosemary
Jacoby, Secretary

Announcements/Discussion: There was none.

HEARING ON SB 135

Presentation and Opening Statement by Sponsor:

Senator Mike Halligan, District 29, presented SB 135. He
said the bill was brought to his attention as a result
of some District Court decisions on bankruptcy.
Senator Halligan said he was Chairman of the Lien Law
Study two years ago and some strong compromises and
negotiations were built with the banking and financial
communities on exemptions. One of the things done was
to clarify what you can execute on as far as personal
property and what is exempt.

List of Testifying Proponents and What Group they Represent:

Bob Pyfer, Montana Credit Unions League
Ralph Kircher, Attorney from Missoula

List of Testifying Opponents and What Group They Represent:

None

Testimony:

Bob Pyfer testified in support of SB 135. He informed the
committee that the Credit Unions League had been

involved with both the study committee and with the hearings during the past Legislature concerning HB 19. SB 135 clarifies the original intent. (Exhibit 1)

Ralph Kircher testified in support of the bill. He said the current situation given interpretations by Judge Peterson indicated that the current statute is stacked so the 3,000 can be used for each subclassification. In preparing some of the briefs and decisions rendered by Judge Peterson, it appears that the Legislature in 1987 did not intend that there was an aggregate for 3,000. He suggested the committee consider if that was the intent. Also, the committee should consider the definitions for implements vs. tools of the trade. He pointed out the problem in the definitions when tools exempted by the debtors, especially in bankruptcy context, are interchanging those terms. (Example: An implement that is a tractor, and a tool of the trade that is a tractor.)

Questions From Committee Members: None

Closing by Sponsor: Senator Halligan closed.

HEARING ON SB 122

Presentation and Opening Statement by Sponsor:

Senator Dennis Nathe, District 10, presented SB 122. He said this bill was an act revising the statute of limitations for the prosecution of child sexual abuse crimes. He pointed out that with the present law any prosecution of a sexual abuse crime had to take place within 5 years of the act. This causes a problem with younger children where they may have to bring charges against a parent or step parent in their own household. They are not emotionally, financially or independent enough to bring those charges. Consequently, it places the prosecution of such crimes in a tough spot because the children are reluctant to come forward at that age. The bill would raise that age up to 18 and then extend that for 5 years after 18. In that way, it would give that individual who was sexually abused a chance to become independent from the situation in which that abuse occurred.

List of Testifying Proponents and What Group they Represent:

Jeanne Kemmis, Parents Anonymous of Montana
Marc Racicot, Attorney General of Montana
Dr. Janet Allison, Ph.D
Steve Waldron, Montana Council of Mental Health Centers
Ron Silvers, Sexual Assault T. P.

Megan Hill, Catholic Conference
John Madsen, Department of Family Services
Janet Benson, Montana Association of Social Workers
Toni Niklas, Montana Education Association
Marti Adrian,
Carol McKerrow, Montana Committee for Prevention of Child
Abuse
Brenda Nordlund, Montana Womens Lobby
Fay Dozier, self
Rosanne Davis, herself
Mike Sherwood, himself and Montana Trial Lawyers
Judy C. Lange, herself
Elizabeth Williams, herself
Susan Kraft Ball, herself
Patricia Lukavsky Bone, herself
Judith Carlson, Montana Association of Social Workers

List of Testifying Opponents and What Group They Represent:

None

Testimony:

Jeanne Kemmis, from Missoula, MT, testified in support of SB 122. She discussed a case decided by the Montana Supreme Court last May. She quoted from the decision that the Supreme Court said it was not for them to rewrite the statute of limitations to accommodate such claims through judicial fiat. Such tasks are vested in the Legislature. Ms. Kemmis spoke on behalf of the woman whose case was heard by the Supreme Court. She also spoke as a family law practitioner serving as a children's attorney and as the state director of a child abuse prevention program, Parents Anonymous of Montana. The result in the interest of preventing child abuse are two bills, SB 157 to extend the civil statute of limitations and SB 122 to extend the criminal statute of limitations. She pointed out that if the crime were committed to a child by a stranger, the child would come home traumatized. However, the problem is that most of the time the sexual abuse is perpetrated by someone who is in the child's family, is closely related or has some kind of authority role over that child. The adult, typically, uses threats of harm against the child and other family members. The typical response of the child is secrecy which prevails during the entire statute of limitations. She noted that SB 122 recognizes the special circumstances of secrecy common to sexual abuse of children. At majority, the child moves out of the household, is no longer subject to the intimidation of the authority figure and is capable of telling the story.

- Ms. Kemmis pointed out other statute of limitation rules. She said there was no statute of limitation rules for prosecution of homicide recognizing the nature of the crime is such that there should be no limit. Also a special statute of limitation for commission of a fiduciary theft for unlawful use of computers. There is a problem with discovering the event. She submitted to the committee that the situation of child abuse includes both elements already recognized in the statutes of limitations, the nature of the crime is abhorrent and it also involves secrecy. The statute of limitation should consider the needs of children in the same way that it does for economic crime.
- Ms. Kemmis pointed out that a summary of state laws (1987) noted that during the three year period of 1984 to 1986 there was significant national trend to extend statute of limitation in the criminal area of which 17 states extended. She asked the committee to strip away the unfair protection given to child molesters to force these people to face their accusers at a time when the power of intimidation is weakened, when the child is able to stand up for himself. The main reason for doing this is to provide a deterrent effect with a clear message that this behavior is intolerable.
- Marc Racicot, Attorney General, pointed out that although recognizing the legitimacy of public policy which supports the imposition of the statute of limitation in civil and criminal cases, in child sexual abuse all of the dynamics of those situations were not taken into account. As a consequence, what has been learned as time has evolved, is that these problems need to be addressed in a special way. He stated that this bill was needed in the criminal justice system in order to address this problem.
- Dr. Janet Allison, a licensed psychologist from Missoula, testified in favor of SB 122. She pointed out the most critical factor in understanding the importance of this legislation is that approximately 80% of child sexual abuse cases the offender is a family member or other trusted authority figure. The trusted figure uses his position of power to ensure that the child goes along with the sexual abuse and ensures the child's silence. She said that there was not the likelihood of false accusations of sexual abuse due to the tremendous stigma, family and social disruption and pain involved even in the initial stages of prosecution. (See Exhibit 2)

Steve Waldron, Montana Council of Mental Health Centers, spoke in favor of the bill. He described his office in the Mental Health Center and the terrible screaming going on in the building in the therapists office. He said these were victims of severe, brutal, sexual abuse as a child. He said it was important for the committee to know that if the offender cannot be prosecuted then the offender will continue to offend over and over again with often numerous victims. He pointed out that the offender will not come in for help until they are caught and they have gone through numerous offenses and numerous victims.

Ron Silvers, Director of the Sexual Assault Treatment Program in Helena, Montana, testified in support of the bill. He recounted one of the many dozens of example that their staff had experienced over the years. He said this bill would enable individuals such as this person to hold accountable the perpetrator of sexual assault. This bill has many benefits from a professional standpoint, two in particular. Traumatized individuals have the right to recover and, also, to gain in strength in society and be recognized as an individual who has the credibility that deserves attention. He pointed out that children in this society do not have that credibility. Individuals from the age of 18-23 at least have the right to confront their perpetrators. He said they also deal with sex offenders at the Sexual Assault Treatment Program and have the dubious benefit of treating both sides of the story. Offenders who are willing by virtue of the weight of the law and pending imposition of sentences are willing to tell their stories and the different methods they use to gain the cooperation of their young victims. Offenders when not caught and not held accountable will re-offend many many times.

Megan Hill, representing the Montana Catholic Conference, testified in support of SB 122 (Exhibit 3).

John Madsen, Department of Family Services, spoke to the committee about the cost of child sexual abuse to the state of Montana. He said that currently the DFS has an incredible increase in the number of substantiated victims. In 1981 there were 50 substantiated cases of child sexual abuse, in 1988 there were 600 victims. National studies indicate that about 1 in 10 victims are known to the Child Protective Services system, which would indicate that 6,000 children were victimized last year. Many of the identified victims

have to be placed out of home with the cost ranging from \$280 a month for a foster home to \$600-700 a day for a child hospitalized in a child psychiatric unit. He said that Mountain View School has currently 50 girls in residence with at least 80% are victims of child sexual abuse. Many of their delinquent behaviors are directly attributable to their child victimization. Pine Hills School is currently treating 40 sex offenders. The great majority were once victims of child sexual abuse. The cost of treating the boys and their victims is substantial. Currently, Montana State Prison, one fifth of the population-220 men are sex offenders with a great majority of those men being victims of child sexual abuse. That is not counting the number of victims they have, they are victims themselves. Many of the women at the Montana State Womens Correctional Facility are victims of child sexual abuse with their current problems directly attributable to their child sexual abuse.

Mr. Madsen said that the cost of dealing with these people, who are most cases offenders and also victims of child sexual abuse, cost the state of Montana. He discussed personal cases that he knew about. He discussed a current case where a man has been an educator for 15 years and has been sexually victimizing young girls in the school in which he has been teaching for the past 15 years. Victims have been known for the past 8 years; the problem in getting the man out of the school system is that DFS does not get a victim until after the statutory of limitations. He continues to this day to sexually victimize girls. He not only has access to girls while he is teaching but is also a photographer and a coach. With this change in the law, the county attorney can prosecute the man and he would not have any more victims, stated Madsen.

Janet Benson, representing Montana Association of Social Workers, testified in support of the bill. She said she worked with the Sexual Assault Treatment Program and worked with victims and offenders. She said she ran into the situation every day where children could not tell about their abuse until beyond the present statute of limitation. In the sake of preventing further sexual abuse, a mechanism to confront offenders with their behavior is needed.

Toni Niklas, representing the Montana Education Association, testified in support of the bill. She pointed out that there are students that are being sexually abused and they are often under the same roof of their offenders.

It is not until they reach the age of majority of age 18 until they usually are able to speak up. The bill would put time on the victims side and not on the offenders side. (Exhibit 4).

Marty Adrian went on record to support the bill.

Carol McKerrow representing the Helena Council for the Prevention of Child Abuse and the Montana Committee for the Prevention of Child Abuse supported the bill.

Brenda Nordlund, lobbyist for the Montana Womens Lobby, supported the bill without reservation.

Fay Dozier spoke as a survivor of sexual abuse (See Exhibit 5).

Rosanne Davis, testified in support of the bill to extend the statutes of limitations for the victims of child sex crimes. She described the physical and psychological abuse that occurred when she was as young as three years old. (Exhibit 6).

Michael Sherwood, testified in support of the bill. He said that ten years ago he served as a public defender in Missoula County (Exhibit 7).

Judy Lange rose in support of the bill.

Elizabeth Williams testified in support of the bill. She said she brought the case before the Supreme Court and is a survivor of child sexual abuse.

Susan Kraft Ball, a survivor of child sexual abuse, spoke in support of the bill.

Patricia Lukavsky asked to go on record in support of the bill.

Questions From Committee Members:

Senator Pinsoneault asked the Attorney General a question. He informed the committee that he was a member of the Youth Advisory Council during the interim that addressed this issue in particular the difficulty in prosecution. The question was if the AG's office would have someone specialized in that office to prosecute these types of cases to assist the county attorneys in these types of actions. Marc Racicot replied yes, and that prosecutors were available now. He said he wholeheartedly supported any help on the topic in order to provide better services.

Senator Pinsonneault pointed out that Mr. Sherwood hit on the crux of the problem: Rehabilitation. The success rate is very low, he said. He asked if there were situations where the offender would voluntarily submit to a surgical process to alleviate the problem, and if there were any states that had such laws. Marc Racicot replied that he did know of a chemical process, but did not know of other states' postures on this issue.

Senator Mazurek asked Mr. Racicot about Section 2, applicability, if there were references to offenses as opposed to causes of action. Mr. Racicot agreed.

Senator Harp asked Dr. Janet Allison concerning a close friend who was a victim of child abuse. He said he had spoken to Hank Burgess, the head of the Board of Pardons, who told him that the chances of sexual abusers being cured is very slim with 95% continuing in their habits. He asked how people who got out of prison are stopped from continuing to be offenders. He asked how the underlining generational issue could be solved. Dr. Allison said that no one had the answer yet. She said the work was going on very actively in terms of research and learning about the most effective methods of treatment. She said that cure is unlikely if not impossible so mental health counselors are working towards control of "the impulse" and continuous monitoring of the problem. She believes that offenders are able to learn to control themselves if they get intensive, long-term, appropriate treatment. She said that as more of these offenders are prosecuted, there will be less sexual abuse because those particular offenders will not be able to continue. And, she commented, the potential offenders will be more careful or seek help instead of getting into their impulses. The fewer that molest, the fewer there are in the next generation, she added.

Senator Beck asked Dr. Allison about whether a high school boy molesting a younger girl was a problem. Dr. Allison replied that yes, offenses by adolescent boys are quite common and have not been treated as seriously in the past because there is a tendency to look at that as a child's sex play. When talking about an older boy offending against a younger child, she said that is that is child sexual abuse. The Juvenile Justice system does address those issues and can help young offenders get into treatment. Recidivism is worse for people that begin offending when they are young because

those patterns become ingrained very early. Because they are young, the possibility of changing those patterns is stronger, said Dr. Allison.

Closing by Sponsor:

Senator Nathe pointed out that the proponents had shown the need for this legislation. The cost to society in the terms of physical and also emotional damage and monetary cost is great. This is one step the legislature can take as a matter of public policy. Senator Nathe closed.

ADJOURNMENT

Adjournment At: 12 noon.



BRUCE CRIPPEN, Chairman

BC/rj

JUD119

ROLL CALL

JUDICIARY

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date Jan. 19

NAME	PRESENT	ABSENT	EXCUSED
SENATOR CRIPPEN	✓		
SENATOR BECK	✓		
SENATOR BISHOP	✓		
SENATOR BROWN	✓		
SENATOR HALLIGAN	✓		
SENATOR HARP	✓		
SENATOR JENKINS	✓		
SENATOR MAZUREK	✓		
SENATOR PINSONEAULT	✓		
SENATOR YELLOWTAIL	✓		

Each day attach to minutes.

EXHIBIT NO. 1

DATE SB 135

DATE NO. 1/19/89

NAME: Robert (Bob) Pyfer

ADDRESS: 1236 Helena Ave, Helena MT 59601

PHONE: 442-9081

REPRESENTING WHOM? Montana Credit Unions League

APPEARING ON WHICH PROPOSAL: SB 135

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

EXHIBIT NO. 2

DATE SB 122

DATE: 1/19/89
BILL NO. 1009

NAME: Janet R. Allison, PhD

ADDRESS: 128 S. 6th W. - Missoula, MT 59801

PHONE: 543-8415

REPRESENTING WHOM? self

APPEARING ON WHICH PROPOSAL: SB 122

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: see attached 3 pgs

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Ex 2

SB 122

1/19/89

S.B. 122

I am Janet R. Allison, Ph.D., a licensed psychologist from Missoula. I am here to testify in favor of S.B. 122, based on my past decade of intensive work with child sexual abuse victims, offenders, families, and adult survivors. As you may know, in the past ten to fifteen years professionals and the general public have increasingly come to recognize the scope of this problem. Researchers have found that at least 25% to 33% of girls, and at least 10% to 20% of boys, are sexually abused by the time they reach adulthood. The effects on their lives are devastating.

The most critical factor in understanding the importance of this legislation rests in an understanding of the context in which sexual abuse occurs. In approximately 80% of child sexual abuse cases the offender is a family member or other trusted authority figure, upon whom the child victim depends for approval, love, and affection. As you listen to and read the testimony by survivors of sexual abuse, understand that although they have been advised (for their own legal and emotional protection) not to name their offenders specifically, they are talking about fathers, older siblings, uncles, grandparents, long-term family friends--the most intimate people in their childhood lives, the people who were crucial to their emotional and physical survival. The offender invariably sets up a secret relationship with the victim, with threats of violence or abandonment (of the victim and/or the family), with offers of special attention or favors, or with other forms of overt or subtle coercion. This trusted figure uses his position of power not only to ensure that the child goes along with the sexual abuse, but also to secure the child's silence and keeping of the secret.

Often the offender also persuades the child that the increasingly sexual contact is "normal" and good. Together with young children's inability to communicate clearly about sexual contact that they do not understand, this makes it extremely difficult, if not impossible, for victims to tell about the abuse. In addition, because child sexual abuse is usually accomplished by use of the offender's position of power (with bribes, enticement, persuasion, and threats) rather than by physical force, victims are led to believe that they consented to the abuse, and so are guilty. Children's natural developmental tendency to believe that they are the cause of the things that happen to them and their families adds to the sense of responsibility and makes disclosure even more difficult.

In the cases where child victims do overcome all these obstacles and disclose (usually to a family member) that sexual contact has occurred, all too often they are not

believed, or are blamed for the abuse, or nothing effective is done to stop the abuse. Very often the entire family is dependent upon the offender emotionally, physically, and/or financially. Thus, prosecution cannot occur, because it depends upon an adult taking action that, often, they feel unable or unwilling to take.

Until child victims reach the age of majority, then, there often is no possibility of prosecution because of the persistent secrecy, the child's inability, by virtue of being a child, to communicate or take action, and the dependence of victims and family upon the offender.

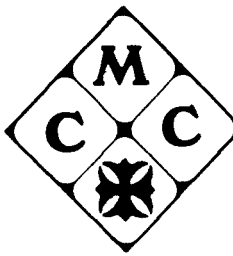
One concern that I have heard voiced about this bill is that it would increase the likelihood of false accusations of sexual abuse. This is not the case. My experience, as well as the developmental literature, indicates that young adults (ages 18 to 23) are still emotionally very attached to their families; although they may be angry at former caretakers, they would be extremely unlikely to initiate prosecution of such individuals, even if it was warranted. Also, concern about false accusations does not take into account the tremendous stigma, family and social disruption, and pain involved in going through even the initial stages of prosecution of a sexual crime, especially against a family member or friend. I don't believe I have ever dealt with a victim (child or adult), even in cases of successful prosecution, who did not seriously consider giving it up. Even if all this weren't true, our system has strong safeguards: because the burden of proof is on the accused, prosecutors will not attempt to prosecute if the evidence is not strong.

Researchers estimate that fewer than one percent of child sexual abuse cases ever are prosecuted; this bill would only increase that figure by some small increment. Again, young adults (ages 18 to 23) are very unlikely actually to initiate prosecution of their offenders. I have, however, dealt with numerous cases in which the young sexual abuse survivor finally felt able to disclose her experience of abuse in the first few years after moving out of the parental home, to the mother or another relative, to a close friend, or to a therapist. In the few cases in which the abuse had continued into late adolescence (so that the current statute of limitations had not run out), this allowed the possibility of a formal report being made and prosecution being initiated by the State.

It is important to understand that, even if an offender for some reason stops molesting a particular victim, he is extremely likely to continue finding and molesting other victims unless the legal system becomes involved. Molesters are almost always terribly defensive and unwilling to seek out and commit themselves to the long hard work of changing

their attitudes and behavior. Prosecution is the most effective (and often the only) tool to mandate the intensive, long-term psychological treatment necessary for offenders actually to change.

If child molesters continue to believe that they cannot be prosecuted for their sexual assaults (because their victims are too young and dependent on them), they have no incentive to resist their impulses to molest or to get help for those impulses. The current statute of limitations essentially gives a green light to potential molesters. S.B. 122 would have real deterrent value in that it sends a message that we as a society will hold offenders responsible for their crimes, even as their child victims become adults; that we will not allow them simply to go on indefinitely destroying children's lives.



Montana Catholic Conference

SENATE JUDICIARY
EXHIBIT NO. 3
DATE Jan. 19, 1989
BILL NO. SB 122

January 19, 1989

CHAIRMAN CRIPPEN AND THE SENATE JUDICIARY COMMITTEE

I am Megan Hill, representing the Montana Catholic Conference as the liason for the two Roman Catholic bishops of Montana in matters of public policy.

We support SB 122. Recent years have seen an alarming increase in the reported cases of sexual abuse of children. Sexual abuse in itself is a profound tragedy, but because of the lasting impact of such incidents on the victims, child abuse constitutes a direct threat to the future stability of society.

The current statute of limitations often expires while the abused child is still a minor and still under the domination of the abuser. Furthermore, many victims are too young to communicate about their abuse, or may even be unaware that such abuse is not normal. If SB 122 were approved, the burden of proof still rests with the abused person. SB 122 simply provides him or her with the opportunity to come to grips with the abuse and pursue their case legally.

We support SB 122 to extend the special rules to cases involving the sexual abuse of a child.



Tel. (406) 442-5761 P.O. BOX 1708 530 N. EWING HELENA, MONTANA 59624



NAME: Tom Pickles

ADDRESS: _____

PHONE: _____

REPRESENTING WHOM? MEA

APPEARING ON WHICH PROPOSAL: SB 122

DO YOU: SUPPORT? AMEND? _____ OPPOSE? _____

COMMENTS: our concern lies w/ the fact that students are being sexually abused while they are still in school; still living under the authority of their offender. Discovery of what is actually occurring may not take place until the child leaves this environment - usually around 18 years of age. This bill allows time to be on the victims side rather than on the offenders side. We rise in support of SB 122: action from the legislature is necessary to provide real & effective redress for victims of childhood sexual abuse - Uge D'ass!

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

My name is Fay Dozier and I am a survivor of childhood sexual abuse. I was sexually molested from the time I was five years old until I ran away from home at the age of eighteen. I was also severely physically, emotionally and verbally abused.

My childhood was filled with constant fear and shame and pain. I felt dirty and responsible because of the sexual abuse. I grew up being told I was no good--a slut and a whore. I lived basically isolated emotionally from the rest of the world because of the "secret" I had to keep. My brothers and sisters were turned against me and I was alone. I knew, instinctively, that what was happening was wrong, but felt there was nowhere to turn for help. I grew up in a time when the family unit was sacred and no one wanted to get involved in "family matters".

I told my mother when I was 13, but I was severely beaten for telling. I tried to tell a friend when I was 15, but that cost me a friend. I told a male ~~family~~^{member} when I was 16 and was raped by him for my efforts.

Finally, when I was 18, I knew, legally, I could leave home and they couldn't force me to go back. I still had a year and a half of school to attend so I was placed in a foster home. ^{At age 18,} I tried to get my molester prosecuted because I knew he was molesting at least one of my four sisters, but the authorities didn't feel they could make a case on my word alone.

I spent from 18 to 30 years old living a self-destructive, emotionally disturbed life. I abused alcohol, was suicidal, was very promiscuous, had ~~two~~ failed marriages, two miscarriages, two abortions and I physically and emotionally abused my son.

I sought therapy off and on throughout those years, but the therapists weren't willing to credit my emotional and mental problems to the sexual abuse. Of course that was many years ago and this crime has only been "brought out of the closet" in the past ten years or so. As a result of their denial, I started believing I was crazy and a normal life was hopeless.

At age 30, I finally hit bottom and I was encouraged by my husband to try one more time to get help. I was able to find a therapist who treated adult, female sexual abuse victims. For the first time in my life I felt validated and not so terribly alone. My recovery was a long, painful and costly process.

I still feel the pain after all these years and I still bear scars of what was done to me and probably always will. I still struggle with depression and with liking myself and I find trusting people very difficult.

My four sisters were all sexually abused as well as a step-sister and my half sister, who was two years old at the time. Had society not been so ignorant regarding this devastating crime, perhaps these individuals wouldn't be suffering today--and they are suffering.

I feel if there had been stricter laws and better enforcement at the time I was molested, my abuser might have been stopped and many lives would not have been so destroyed. My abuser was finally prosecuted for molesting my step-sister, but received a slap on the wrist and is still running loose. If men like him knew there would be severe consequences for their actions, perhaps they would think twice before they violate an innocent child.

EXHIBIT NO. 6, p. 1

DATE Jan. 19, 1989

DATE: BILL NO. 19/89 SB12

NAME: ROSANNE E. DAVIS

ADDRESS: 1736 PHILLIPS ST. ALBA, MT 59802

PHONE: 721-0500

REPRESENTING WHOM? MYSELF

APPEARING ON WHICH PROPOSAL: SB122

DO YOU: SUPPORT? Yes AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

My name is Rosanne E. Davis. I am 36 years old and a resident of Missoula, Montana for the past five and a half years.

I am giving my testimony in support of the proposed bill which would extend the statute of limitations for victims of child sex crimes. I am doing so because I am a survivor of child sexual abuse who has had no remedy, and therefore no rights. Even if the proposed change is passed, it will not benefit me directly but my testimony is important in enabling other survivors, both men and women, to pursue redress.

Shortly after moving to Missoula in 1983 I began experiencing night terrors. I felt that someone or something was creeping around my bedroom and I was too paralyzed with fear to get up. I laid awake all night and slept when I could during the day. I entered counseling after several weeks of this.

During the initial interview, much to my surprise, my therapist asked if I had been sexually abused as a child. Until that point in time I believed that I had never told anyone what had happened to me. Thus my odyssey began. The majority of the following testimony is derived from memories gathered within the past five years.

I am the oldest of six children. I have two sisters, both of whom were also sexually abused, and three brothers, one of whom I suspect was abused sexually. From the outside, I imagine that we looked like the all-American family. My mother was a homemaker until my parent's separation and subsequent divorce. My abuser, worked as an electronics engineer and was President of the Jaycees. We were practicing Episcopalians.

The earliest memory that I had of being sexually abused occurred when I was five or six years old. This involved sexual intercourse by my abuser. Incidents of sexual abuse repeatedly occurred until I was twelve years old ranging from sexual fondling to intercourse.

I did not know until 1984, at the age of 32, that the sexual abuse began before I was three years old. This knowledge had a profound affect on me. As a child I reasoned that the abuses I had experienced occurred because I was a bad child who deserved to be punished. As a teenager, I had been led to believe that I had seduced my abuser, as a five year old. I owned the responsibility for what had happened to me; I thought it was my fault. Not only did I carry that shame and guilt for over twenty years, I actively hid in fear that someone would find out what a truly evil person I was.

I was not only abused sexually. I was also verbally, physically and psychologically abused. I was told before the age of ten that I was a "slut". I was told that I was nothing; that my abuser had created me and that I was a "slave". I suffered severe beatings with belts, sticks, ping pong paddles; and was thrown, shoved, slapped, kicked and hit with a fist.

As a child, I believed that other families were like ours. Not until I was approximately nine years old did I suspect that something was wrong when my abuser began threatening me with death should I ever tell anyone what he was doing.

I had no reason to doubt the sincerity of my abuser's threats. I believe that he could, at any moment, choose to kill

me. He forced my sisters and I to witness the death of our kittens by stoning them. He strangled the neighbor's cat. He beat our dog to death. I refused pets fearing that my abuser would kill them as well. I was pulled into deep water at a lake and while my abuser sexually assaulted me, he held me at chin level in the water and told me that if I made a sound, he would drown me. He kept a gun in the house that had a silencer which he would screw on and sitting by the open back door, shot anything that trespassed our property.

Within an eleven year period, our family moved a minimum of six times. We had telephones in our home until my abuser ripped the last one from the wall when my mother attempted to call for help. He broke her wrist. My mother did not own a driver's license or know how to drive a car until she was almost forty years old. I am convinced that my abuser purposefully chose to isolate the family.

He decided with whom I could be friends and at a moments notice would tell me that I couldn't play or talk to someone ever again. And I did not. In fact, I stopped making friends with other children because I could not stand the pain of losing them. I could not count on anything; love became equated with violence. I spent most of my childhood alone, hoping that someone would see what was happening and rescue me. No one ever did, although I learned later that people were aware of the violence in our household.

My abuser was omnipotent. I lived in constant fear, trying to anticipate his moods in order to avoid another abusive event. Prior to my twelfth birthday I had decided that when the next episode of abuse happened that I was going to shoot my abuser with his own gun. I couldn't see any other way to make it stop.

My abuser was removed from our household in 1964 after he sexually molested an eleven year old friend of my sister. He was sent to prison and my family moved out of state. My mother was thirty-two years old and had six children ranging in age from twelve to two. We lived with the fear that my abuser might find us.

As a teenager I lived in extreme poverty and began working when I was thirteen. I spent most of my time on the streets, started drinking at the age of fifteen, attempted suicide at sixteen and was pregnant by seventeen. I married and left home at eighteen. Two children and five years later I was divorced. I raised my children alone for fourteen years and remain single.

The only discussion (prior to therapy) concerning the sexual abuses I experienced as a child, was with my mother when I was approximately fourteen. I simply told her that it had happened and did not go into any detail; I wanted to protect her. At that time my mother denied knowledge of the sexual abuse. I was told that good people "forgive and forget". Our family remained one in which we did not discuss those early years; if we didn't talk about it, it didn't happen. I spent the rest of my life forgetting which I was able to do until the night terrors began.

I have since learned that my mother did know about the sexual abuse because I had told her when I was three years old. She has stated that I sought protection from her on several

occasions. I have no memory of these events.

Given the fact that society did not recognize child sexual abuse or battered women, nor did it provide protection to victims of abuse, my mother did not possess any alternatives to protect either herself or her children. Child protective services or a welfare system did not exist. Teachers, school counselors and other professionals were not trained to identify children such as myself. No one talked about the sexual abuse of children or that it even existed until the past five years. The general public is still uncomfortable in admitting that child sexual abuse exists.

My abuser was both verbally and physically abusive to my mother. She attempted to have my abuser committed at one point, only to be told that he would be given thirty days written notice. Knowing that we would most likely be dead before the thirty days was up, my mother dropped the case. She went to our minister for help who told her that she should try harder to make the marriage work. She managed to get my abuser to leave the family several times before I was eight years old only to have him return with promises that it would never happen again. My mother could not tell her family. Both of my parent's had been abused as children. In the finish, she resigned herself to the circumstances in her life.

I did not bring forth criminal charges within the current statute of limitations because I was incapable of doing so as a sixteen year old. Provided that my entire family had been traumatized by my abuser, it is unthinkable that I would have been supported in filing criminal charges while I remained in the family and the option to do so did not exist for me once I did leave. Indeed, my family of origin continues to maintain a conspiracy of silence and denial, of shame and guilt.

In summary, my abuser has to my knowledge, a nine year history of sexual crimes involving four children. I have no doubt that there are and continue to be other victims. My ability to file criminal charges against my abuser would have perhaps prevented the further sexual abuse of other children. More importantly, it would have enabled me to continue in my life without carrying the responsibility and burden for my own victimization.

NAME: Mike SherwoodADDRESS: MissoulaPHONE: 443-6292REPRESENTING WHOM? MTLAAPPEARING ON WHICH PROPOSAL: SB 122DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS:

1) I am a former Public Defender frequently appointed as guardian for sexually abused children and those accused of sexual abuse.

2) Reporting, in my experience, seldom occurs before the age of 12 and usually after 14

3) Recidivism is a problem in this area + one which can be cured with counselling

4) ~~For~~ Usually denial is a severe problem and threat of criminal prosecution is highly effective as a tool to insure counselling necessary to end this conduct.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Patricia
Lukavsky
Bone

SENATE JUDICIARY
EXHIBIT NO. 8
DATE Jan. 19, 1989
BILL NO. SB122

SB 122 - Revised Criminal Statute of Limitations for Child Sexual Abuse

My name is Patricia, I do not feel like I can use my full name because I still fear for the safety of my family and myself. However, as a 28 year old incest survivor, I feel my testimony will aid you in your decision on the legislation now before you. In the interest of being brief, I will attempt to outline my experiences.

In the process of recalling details regarding the sexual abuse, in order to write this testimony, I've experienced renewed pain, terror, grief, and depression. I was sexually abused as a minor by 6 different perpetrators: an unknown perpetrator, my father, three brothers, and my bother-in-law. My age and the duration of each episode are as follows: before 3, at 5, 9-12, two different abusers at 15, and at 16-17 years old. The different forms of sexual abuse I experienced included: forced fondling, groping, attempted rape, rape, getting urinated on, and forced oral sex. I was raised in a dysfunctional family where alcohol abuse was prominent. Secrecy about the family was maintained by constant verbal abuse and physical violence by both parents and all siblings. The unspoken rules of the family were don't trust, don't feel, and above all don't tell. I felt if I didn't obey these rules it would destroy the family and I could be killed. That is why my first 5 abusers knew they didn't need to make specific threats. The last abuser, my brother-in-law, did threaten me with death if I told. My reactions to the sexual abuse were to fight it, avoid it, submit to it, and withdraw from it in order to survive. My perpetrators used coercion, trickery, and entrapment to force me to submit, and once trapped I felt terrified and helpless. As a teenager I confided in 4 different adults about the sexual abuse. My priest punished me with penance, my half-sister blamed me, my mother

minimized it, and my brother-in-law took advantage of the information and trust to begin sexually abusing me. Telling produced negative feedback that reinforced feelings of helplessness and responsibility that I tried to escape with alcohol and substance abuse. During the last period of sexual abuse at age 17, I began a long period of sexual promiscuity. I felt powerless against any male advances and felt I didn't have any other choice. I left home when I turned 18 in an attempt to break family ties and lead a "normal" life. Shortly after, in need of acceptance and love, I married a man who continued to victimize me with sexual abuses until we divorced when I was 22. During this marriage I depended heavily on reaffirmation from my family which continued until a year ago when I indirectly confronted them about the sexual abuses. They denied it, threatened me, and abruptly cut off all communication with me.

I entered my current relationship when I was 22. The repercussions of my abuse began overwhelming me at the age of 25 when I began physically abusing my husband and children. In an attempt to find out why and correct it before I lost my husband and children I entered counseling and eventually an incest survivors' group. I have been in counseling ever since and have gradually discovered the connection between the repercussions I have experienced, and have to deal with the rest of my life, and my abuse. I feel the following repercussions are the direct result of the combined abuses I experienced as a child: severe depressions, suicidal attempts, tendencies, and other self-destructive behaviors, alienation from peers, spouse, children, and society in general, anxiety, insomnia, inability to make decisions for myself, mistrust and fear of people, confusion, eating disorders, and a loss of personal identity. Even though they could also have been produced by the different forms of abuse individually, I feel the sexual abuse in particular intensified the repercussions dramatically.

The repercussions I feel are due solely to the sexual abuses, and which especially affect my marriage are: sexual promiscuity, flashbacks to the abuses, nightmares of sexual abuse, confusion about sexuality, and shame of and disconnection from my body.

Out of all six abusers, one has acknowledged the abuse on me and has reformed, one is currently serving a prison term due to molestation of another child, another one has molested at least one other child that I know of since me, and the others I suspect are still sexually abusing children. I strongly feel that if the criminal statute of limitations were to begin at the age of majority it would cut down on sexual abuse. Others in similar situations to mine who are more successful in separating themselves from their dysfunctional family might have a chance to seek out help sooner because of increased awareness and support. Because I was not aware of or in a position to act on the existence of such a law I feel 3 of my perpetrators are still abusing but one is in prison because one child was lucky enough to tell the right adult.

NAME: Ron Silvers DATE: 1-19-89

ADDRESS: 512 Logan Helena

PHONE: 442-0649

REPRESENTING WHOM? Equal Assault Treatment Program

APPEARING ON WHICH PROPOSAL: # 122

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Janet Benson DATE: 1-19-89

ADDRESS: 512 Logan, Helena

PHONE: 442-0649

REPRESENTING WHOM? MT Assoc. of Social Workers

APPEARING ON WHICH PROPOSAL: SB 122

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

1/19/89

MISSOULA COUNTY

Did not testify

OFFICE OF THE ATTORNEY
MISSOULA COUNTY COURTHOUSE
MISSOULA, MONTANA 59802
TELEPHONE (406) 721-5700

ROBERT L. DESCHAMPS III
COUNTY ATTORNEY

January 18, 1989

SENATE JUDICIARY COMMITTEE
State Capitol
Helena, Montana 59601

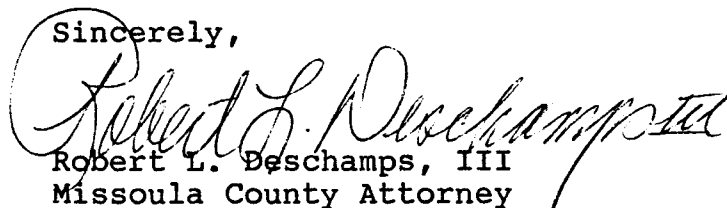
Re: Senate Bill No. 122

Dear Committee Members:

The Montana County Attorney's Association has authorized me to inform the committee that the Association supports the concept of expanding the statute of limitations for prosecutions of child sexual abuse. The current law carries the typical five (5) year statute of limitations, which is plainly unrealistic in cases of sexual abuse upon young children. It is not feasible to expect a three (3) year-old abuse victim to report the abuse by the time he's eight (8) or else the State loses any ability to ever prosecute the acts thereafter. We would not object to an amendment that started the statute running when the act of abuse becomes known to a public agency authorized by law to take legal action on it, or the victim's eighteenth (18) birthday, whichever occurs first.

If our Association can be of further assistance, please contact me.

Sincerely,


Robert L. Deschamps, III
Missoula County Attorney

RLD:ksr

Urgent Delivery to
Senate Judiciary
Committee

P. 1/4 SB 122
1/19/89
10:00 am
TH

Kim Darling
626 N. Caravan
Missoula, MT 59802
January 18, 1989

TESTIMONY FOR THE LEGISLATIVE RECORD RELATIVE TO SENATE BILL 122

I am an incest survivor. I discovered this when I was twenty-nine years old. Prior to this discovery, I suffered suicidal depression for ten years. I was disabled by an eating disorder and drug addictions. I began seeing therapists when I was twenty-eight because of difficulties in my marriage. Although the therapy was helpful, I had a sense that I had still not gotten to the source of my difficulties. Then, while participating in a workshop on incest as part of training to work in a crisis intervention network, I encountered a list of characteristics of incest survivors. Every item on the list applied to me. The next day, during the course of personal sharing in the workshop, I began to remember specific incidents of sexual abuse in my childhood. The process of remembering continues for me even now.

Since the time of the initial discovery, I have completed a BA in Social Work and am working in the recovery process with other survivors. This recovery process requires letting go of feelings of responsibility for what happened to us as children. It requires moving through intense feelings of anger, fear, grief and shame. This recovery process begins after we break through the very thing that helped us to survive, that is, denial. Again and again I have seen women accomplish this in their late twenties and early thirties. It is unrealistic to expect survivors to be willing or able to confront their abusers while they are still dependent, physically, emotionally, and economically on the familial system in which the abuse occurred. In young adulthood, the denial that allows for survival is still functional.

I confronted the man who abused me about that abuse three years after I began to remember it. He laughed at me. He denies still, as he did then, that what he did to me was injurious. He is supported in his denial by a cultural denial of the existence and extent of injury done by the sexual abuse of children.

I urge you to pass this bill before you. It is a significant step in breaking through cultural denial of the effects of childhood sexual abuse.

SB 122

1/19/89

1/17/89

To Whom it May Concern,

I was molested as a child. In 1965 at the age of four I did not have the power to tell of my abuse. I blocked it from my memory.

Seven years later when I remembered, it was too late for me to take legal action. There was no intervention or advocacy for me and I suffered in silence for many years.

To this day I am without legal means or rights to sue my assailant. My rights were gone before I was ever advised of them. I have spent thousands of dollars in my recovery. As a Medicaid patient the taxpayers have spent for my recovery.

If the statute of limitations had been extended before my twenty third birthday, I would have been able to seek restitution.

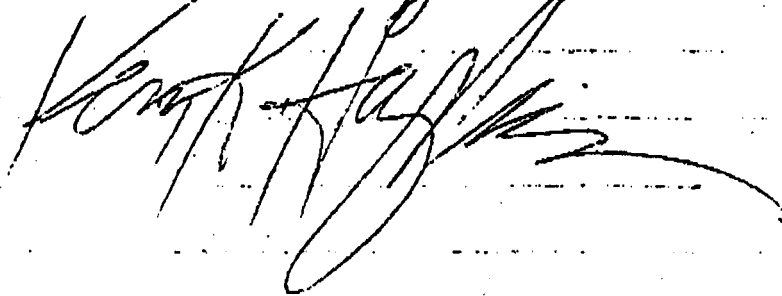
11/9/89

It is absolutely imperative for the millions of sexually abused children to have a voice.

Our society is morally obligated to listen to their voices and we are morally obligated to take action against abuse. We must allow our children to have the power to say no.

As the parent of a sexually abused child and as a survivor of sexual abuse, I'm telling you it is hellish torture and I strongly urge you to extend the statute of limitations.

Thank you,



58 122

1/19/89

1/17/89

To Whom it may Concern,

" I think we should change this law because if people get molested and dont tell within seven years then they dont get to get it off their chest and tell by suing the person who molested them. "

" If I myself didn't report it in seven years I would feel really bad cause I hadn't gotten it off my chest.

If I hadn't told, that person would still be molesting children and I feel very strongly about children's rights. I think this law will encourage children to tell their problems. That's why I think we should change this law. "

Violet Hopkins

Age 9

SB 122
1/19/89

TWO BILLS WOULD EXTEND STATUTE OF LIMITATIONS FOR
CASES INVOLVING SEXUAL ABUSE OF CHILDREN

Sexual abuse of children is a problem of immense proportion in the United States today. Only in the last decade have we learned very much about it. Experts now estimate that the average age of a victim of childhood sexual abuse is 8 years; victims' ages range from birth to age 18.(1) The abusers are usually family members, friends and neighbors.(2) It is estimated that anywhere from 50 to 90% of all sexual abuse of children goes unreported.(3) The vast majority of investigated reports prove valid.(4) And yet one expert has estimated the criminal conviction rate for childhood sexual abuse at 1% of all cases.(5) Civil judgments are imposed against abusers probably less often than that.

The most formidable procedural barrier to the prosecution of civil or criminal cases against child abusers is the application of general statutes of limitations rules to a situation that requires special consideration and special rules.(6) In most circumstances, statutes of limitations begin to run on the date a wrongful or criminal act is committed. In instances where injured parties may not know of their injuries or the cause of their injuries until after the statute of limitations period has expired, special rules exist to extend the time for bringing civil and criminal cases. The enclosed two bills ask the Legislature to extend those special rules to cases involving sex abuse of a child.

The Civil Statute of Limitations Bill

The civil bill proposes adding child sexual abuse cases to the list of exceptions to the general statute of limitations already recognized by Section 27-2-102 MCA. These exceptions are known as the "discovery rule" exceptions, recognized by the Legislature as circumstances where injustice would result if general statute of limitations rules applied.

A bill nearly identical to the enclosed civil statute of limitations bill was enacted in the State of Washington in March 1988. The Washington bill was introduced in response to a ruling by the Washington Supreme Court concluding that the legislature holds the prerogative to extend the statute of limitations in cases of child sexual abuse. Just recently, in May 1988, the Montana Supreme Court ruled on the same question and reached the same conclusion. In the case of E. and D.W. vs. D.C.H.(7) the Court said:

While this Court is aware of the horrifying damage inflicted by child molesters, it is not for us...to accommodate such claims through judicial fiat. Such a task is properly vested in the legislature.

The proposed extension of the civil statute of limitations asks the Montana Legislature to acknowledge its prerogative in this area and adopt legislation comparable to the Washington law.

The reason for the discovery rule is most readily understood through study of the classic case of the patient who does not know of the presence of a surgical sponge left in his body until the usual statute of limitations period has expired. The discovery rule delays running of the statute of

limitations until he discovers the existence of the sponge and therefore the underlying claim for damages.

Like the surgical sponge cases, the circumstances surrounding childhood sexual abuse cases make them different from the usual civil case. The difference has to do with the devastating and lasting effect sexual abuse has on a young child's mind. A central element of childhood sexual abuse is secrecy: abuse happens when the child is alone with the abuser and physical violence or the threat of violence, threats of harm to siblings or mother, the threat of abandonment or separation, and other psychologically coercive tactics used by the abuser result in the child becoming virtually incapable of disclosing the abuse.(8)

Experts conclude that if the child does not seek or receive immediate intervention and protection, the child's only option is accommodation to the reality of continuing sexual abuse. The child faced with continuing abuse somehow must achieve a sense of control. He or she cannot safely conceptualize a parent as bad because to do so is tantamount to abandonment. Instead the child adopts an "accommodation syndrome", internalizing his rage, fear, confusion and sadness.

This internalization of anger and anxiety is a survival mechanism that often leads to self-destructive behaviors such as suicide, depression, prostitution, or drug and alcohol addiction. In the past ten years, experts have discovered that sexually abused children predictably suffer from a constellation of these problems. Almost universally, the young

adult suffering from such injuries is unaware that her problems result from the abuse of her past, until learning the connection from a mental health expert. Moreover, many of the most severe physical and emotional problems resulting from abuse simply do not develop until after the general limitations period has expired.

The special circumstances peculiar to injury of a child warrant special treatment of sex abuse cases. For this reason, the 1987 Surgeon General's Northwest Conference on Interpersonal Violence specifically recommended application of the discovery rule to childhood sexual abuse cases.

Even with passage of this legislation, it should be emphasized that such plaintiffs are not guaranteed success. The burden remains with an adult who claims to have been sexually abused as a child to prove not only that she was abused and that the defendant was her abuser, but that her suffering was such that she did not and could not reasonably have discovered all the elements of her cause of action at an earlier time. This bill simply allows an opportunity for a survivor to make that case.

The Criminal Statute of Limitations Bill

The companion criminal statute of limitations bill modifies the already existing special limitations rule for sexual offenses against children. The modification delays running of the statute of limitations until the child victim reaches the age of majority, 18 years.

Under existing rules, the criminal statute of limitations for all sexual crimes against children is set at five years.

Unfortunately, under this rule, the limitations period expires while many victims are still under age, often still residing in the home of the offender and still very much subject to his domination and control. The fact is that physical violence or coercive tactics used by the adult result in the child becoming virtually incapable of disclosing the abuse within the period of limitations. Moreover, many victims are simply too young to be able to communicate effectively about the abuse, or may be unaware that the behavior is anything unusual or inappropriate.(9) In any event, research finds that children who do break this silence to tell another member of the family rarely find themselves believed.(10)

Existing Montana criminal statutes of limitations acknowledge that the special circumstances of secrecy present in cases of bank fraud and computer crimes warrant extending limitation rules. The Montana Legislature is asked through this bill to act in its role as establisher of statutes of limitations to acknowledge the special circumstances of child sexual abuse as well.

Conclusion

Holding victims of childhood sexual abuse to traditional statute of limitations rules effectively denies judicial remedy for this wrong. Legislative action is essential to provide genuine, meaningful legal remedy for child sexual abuse. With passage of this legislation, we can look forward to the deterrent effect that comes from a clear societal message that this conduct is unacceptable to a civilized people.

Notes

1. See, M. Kirkpatrick, ed., Women's Sexual Experience 133 (1982).
2. D. Finkelhor, Sexually Victimized Children 73-75 (1979).
3. S. Butler, Conspiracy of Silence: The Trauma of Incest 12-13 (1978).
4. R. Summit, The Child Sexual Abuse Accomodation Syndrome, 7 Child Abuse & Neglect 177, 178 (1983).
5. D. Russell, The Secret Trauma 86 (1986).
6. See M. Salten, Statutes of Limitation in Civil Incest Suits: Preserving the Victim's Remedy, 7 Harv. Women's L.J. 189, 190 (184); see also Comment, Tort Remedies for Incestuous Abuse, 13 Golden Gate U. L. Rev. 609, 628-31 (1983).
7. 754 P.2d 817 (1988).
8. M. de Young, The Sexual Victimization of Children 41 (1982).
9. K. MacFarlane & J. Waterman, Sexual Abuse of Young Children 5 (1986).
10. M. Kirkpatrick, supra at 128-129.

DATE Jan. 19, 1989

COMMITTEE ON JUDICIARY

VISITORS' REGISTER

NAME (PLEASE PRINT)	REPRESENTING	BILL #	Check One	
			Support	Oppose
Patricia (Lukavsky) Boncz	self	122	✓	
Elizabeth K. Williams	Self	122	✓	
Cheryl Coyan	PAR and CTF	122	✓	
Judy C. Lange	self	122	✓	
Susan Kraft Ball	self	122	✓	
Toni Niklas	MEA	122	✓	
Fay Dozier	self	122	✓	
MARC RACIOT	AG	122	✓	
Sally Mueller	self	122	✓	
Holly Kalyuc	OPI	122		
Bob Pyfer	Mont. Credit Unions League	135	✓	
John Madsen	Dept of Family Services	122	✓	
Jeanne Kemmle	Parents Anonymous of Mt.	122	✓	
Janet Benson	MT Assoc. of Soc. Workers	122	✓	
Ron Silvers	Sexual Assault T.P.	122	✓	
Brenda Nordlund	MT W & Lobby Helena	122	✓	
Judith Carlson	MT Assoc of Sackville	122	✓	
Steve Walden	Mont. Child Mental Health Center	122	✓	
Ralph Kerscher	A. U.	135	✓	
Mike Sherwood	MCLA			
Mike Sherwood	Individual	122	X	
VICKIE AMUNDSON	INDIVIDUAL	122	X	
Carol McKelown	Mont. Comm. for Prevention of Child Abuse	122	✓	