



Maryland Supreme Court Upholds Constitutionality of Child Victims Act

In a 4-3 Decision Maryland's High Court Sides with Survivors

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Washington, D.C. — Yesterday, the Maryland Supreme Court ruled in three consolidated cases - *The Key School, Inc., et al. v. Valerie Bunker, Board of Education of Harford County v. John Doe, et al., Roman Catholic Archbishop of Washington v. John Doe, et al.*, - to uphold the constitutionality of the Child Victims Act (CVA).

The CVA removed the statute of limitations in order to allow survivors to file civil lawsuits against not only their abusers but the institutions that employed them. At issue was whether or not a previously enacted statute created a vested right for institutions responsible for the abuse to be free from civil litigation. The Court found that the law in question was a statute of limitations and as such did not create a vested right for those responsible to escape civil liability.

In their opinion, the Court cited to an [Amicus Brief](#) filed by [Human Rights for Kids \(HRFK\)](#), a nonprofit dedicated to the protection of children's rights, which shared the harrowing experiences of three survivors who were sexually abused by staff in juvenile detention facilities across the state. Their testimonies shined a light on the [more than 200](#) claims of sexual abuse and rape raised by those housed in juvenile detention facilities across the state.

“We are thrilled that the Court upheld the constitutionality of the CVA, protecting the rights of child sexual abuse survivors over those organizations that turned a blind eye to such abuse for decades,” said Adam Pollet, an HRFK Board member and [Partner at Eversheds Sutherland LLP](#). “This decision cannot erase the past and undo the suffering endured by these courageous survivors. Although their justice may have been delayed, the Court did not allow it to be denied.”

Sexual abuse in Maryland's juvenile detention facilities has been shockingly widespread. In 2004, a U.S. Department of Justice investigation [revealed](#) “inappropriate staff-youth relationships” with children as young as 14 years old, as well as admissions of sexual abuse of children by staff

members in youth detention centers. The DOJ also found that leadership at these facilities knowingly hired staff with prior felony convictions or records of abusing children.

A recent study by HRFK found that 40 percent of system-involved youth in Maryland previously experienced sexual abuse. Children who are tried as adults also experience particularly appalling treatment with 88 percent reporting physical violence and 15% reporting sexual abuse at the hands of adults.

“The Maryland Supreme Court’s ruling in this case is a vindication of the courage and conviction of the survivors who mobilized across the state to make this happen,” **said James Dold, CEO & Founder of Human Rights for Kids.** “Decisions like this have the ability to restore faith in our systems of justice and ability to effect change. Today we celebrate for all child survivors in Maryland.”

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ABOUT HUMAN RIGHTS FOR KIDS

Human Rights for Kids is a non-profit organization dedicated to the promotion and protection of the human rights of children. We use an integrated, multi-faceted approach which consists of research & public education, coalition building & grassroots mobilization, and policy advocacy & strategic litigation to advance critical human rights on behalf of children in the United States and around the world. We work to protect children from harm; reform justice systems to ensure society focuses on rehabilitating children who come into conflict with the law; protect immigrant, non-native children from harm and discrimination; promote access to quality education for all children; and promote healthy communities for children to ensure access to housing and health care.