



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3217

September 26, 2025

The Honorable Kathy Hochul  
Governor of New York  
New York State Capitol Building  
Albany, NY 12224

**RE: Demand for Immediate Action on Justice for Survivors of Child Sexual Abuse**

Dear Governor Hochul,

Across New York, thousands of survivors of child sexual abuse — including many who suffered in state-run institutions — are being denied justice, re-traumatized by delay, and abandoned by the very systems that promised to help them heal. I am writing to demand that your administration finally confront the scope of this crisis and take decisive action to fix it.

The Child Victims Act (CVA), passed almost seven years ago was supposed to open the doors of justice to those silenced for decades. Instead, in New York, survivors now face two equally devastating failures: insurance companies refusing to pay what they owe and the State of New York refusing to act.

These injustices reflect the abject failure of your administration and demand immediate intervention. The state's betrayal of survivors stems from two interlocking breakdowns:

**1. Industry Misconduct and State Inaction**

Insurers have aggressively denied coverage to abuse survivors, relying on narrow legal arguments that claim decades of institutional child sexual abuse were “expected or intended” and thus excluded. These tactics are being used even in cases involving clear institutional negligence in hiring, supervision, and response.

Instead of confronting this behavior, your administration has refused to enforce the Child Victims Act and DFS Circular Letter No. 11, which requires insurers to “cooperate fully” and “to act promptly, not extending unnecessarily to the maximum time periods permissible” to resolve claims. This failure has allowed insurers to walk away from their responsibilities.

**2. Procedural Injustice**

The state's ongoing failure to fix the pleading standard for claims against public institutions has created a two-tiered justice system. While survivors abused in private institutions can at least

bring claims, those abused in state-run facilities remain blocked at the courthouse door — their cases dismissed before they can even be heard.

This disparity is indefensible. It is not due to evidentiary weakness, but to a legal technicality your administration has repeatedly refused to correct. Hundreds of survivors that were abused in state custody remain frozen out of the justice system by the state's procedural failures.

In Albany, a federal bankruptcy court recently ruled that insurers had no standing to block survivor claims, a direct rebuke of the very tactics your administration has enabled through inaction. Your failure is systemic and is compounding by the day.

I urge you to take the following immediate steps:

1. Enforce the CVA and DFS Circular 11 and finally compel insurers to negotiate in good faith.
2. Immediately and retroactively fix the pleading standard in the Child Victims Act for claims against the State of New York.
3. Publicly commit to equity for all survivors, regardless of whether the abuse occurred in a public or private institution.

Justice cannot be selective. The promises made to survivors cannot be conditional. And the financial obligations of insurers cannot be optional.

The time to act — boldly, and without excuse — is now.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Lawler", with a stylized flourish at the end.

Michael V. Lawler  
Member of Congress