

Transforming the Trend: SAM Overview

May 16, 2023

WASA, WSRMP & Clear Risk Workshop



Agenda

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- Ground Rules
- Overview of SAM
- SAM Symposium Findings and Report

Ground Rules

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- Children are not statistics
- This risk affects all of us
- And please – take care of yourself, too

Language:
CSA, SAM
or SML



National Sexual Assault Hotline – 1.800.656.4673
Rape, Abuse and Incest National Network · rainn.org



Defining Child Sex Abuse

From the Centers for Disease Control and Prevention (CDC)

Child sexual abuse refers to the involvement of a child (person less than 18 years old) in sexual activity that violates the laws or social taboos of society and that he/she/they:

- does not fully comprehend
- does not consent to or is unable to give informed consent to, or
- is not developmentally prepared for and cannot give consent to

Youth-to-Youth Sexual Abuse Resource

Hackett Continuum of Harmful Behavior

A continuum of behaviours

It is vital for professionals to distinguish normal from abnormal sexual behaviours. Chaffin, Letourneau and Silovsky (2002, p208) suggest a child's sexual behaviour should be considered abnormal if it:

- occurs at a frequency greater than would be developmentally expected
- interferes with the child's development
- occurs with coercion, intimidation, or force
- is associated with emotional distress
- occurs between children of divergent ages or developmental abilities
- repeatedly recurs in secrecy after intervention by caregivers.

Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

Normal

- Developmentally expected
- Socially acceptable
- Consensual, mutual, reciprocal
- Shared decision making

Inappropriate

- Single instances of inappropriate sexual behaviour
- Socially acceptable behaviour within peer group
- Context for behaviour may be inappropriate
- Generally consensual and reciprocal

Problematic

- Problematic and concerning behaviours
- Developmentally unusual and socially unexpected
- No overt elements of victimisation
- Consent issues may be unclear
- May lack reciprocity or equal power
- May include levels of compulsivity

Abusive

- Victimising intent or outcome
- Includes misuse of power
- Coercion and force to ensure victim compliance
- Intrusive
- Informed consent lacking, or not able to be freely given by victim
- May include elements of expressive violence

Violent

- Physically violent sexual abuse
- Highly intrusive
- Instrumental violence which is physiologically and/or sexually arousing to the perpetrator
- Sadism

Why Does This Risk Need Attention?

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1 in 4

Department of
Justice data
suggests that 86% of
child sexual abuse
goes unreported



SEXUAL ASSAULT VICTIMS

Peer sex assaults at school by age, gender

SOURCE: AP analysis of FBI's
National Incident-Based Reporting
System 2013-2014 data



40%

of the 5- and 6-year-old victims were boys

Boys were more apt to be victimized by peers at a young age; they accounted for about 40 percent of the 5- and 6-year-old victims. By contrast, they made up just 14 percent of victims of all ages.

14

peak age of reported female victims

Girls were most likely to be victims in their pre-teen and early teen years; reported incidents with female victims increased dramatically starting around 11 and peaked at 14. Girls accounted for more than 85 percent of all victims.

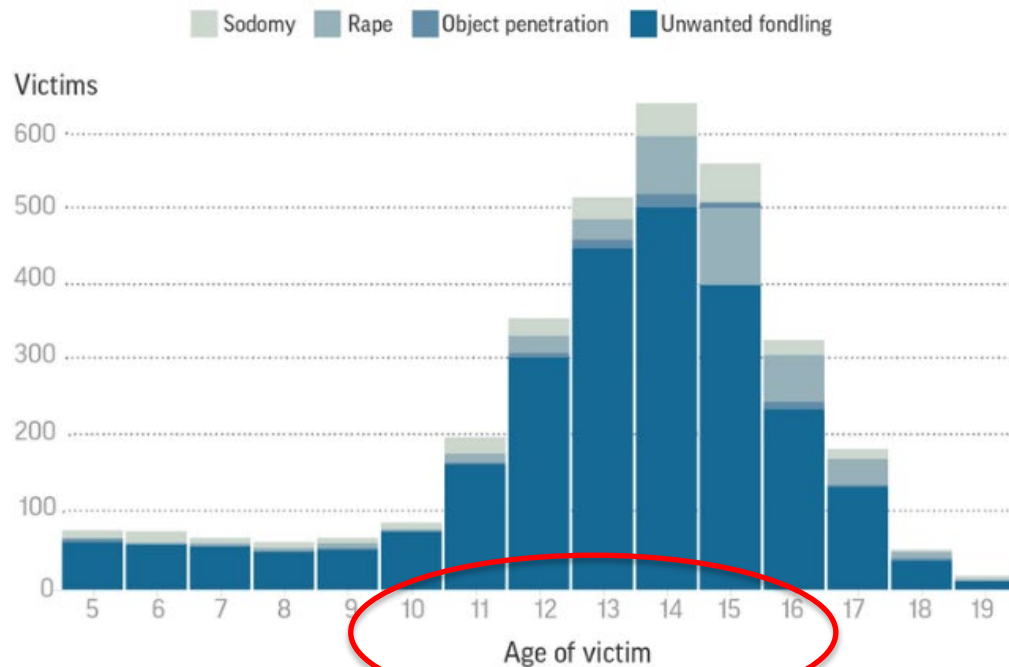
7-to-1 ratio

Though cases involving teachers sexually assaulting children make the news, for every adult-on-child sexual assault on school grounds reported to police, there were seven such assaults among students.

REPORTS OF SEXUAL ASSAULT

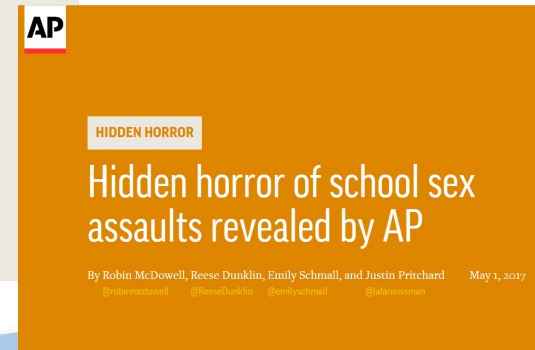
Types of peer sexual assault at school

SOURCE: AP analysis of FBI's National Incident-Based Reporting System 2013-2014 data



No type of school was immune, whether it be in an upper-class suburb, an inner-city neighborhood or a blue-collar farm town.

Schools frequently were unwilling or ill-equipped to address the problem, AP found, despite having long been warned by the U.S. Supreme Court that they could be liable for monetary damages. Some administrators and educators even engaged in cover-ups to hide evidence of a possible crime and protect their schools' image.



\$102M Verdict

- Two students were sexually abused and groomed by their band teacher Samuel Neipp, a former music teacher at Dartmouth Middle School.

\$100M Settlement

- The firm represented multiple plaintiffs in the Santa Monica PAL/Eric Uller abuse case. The City of Santa Monica covered up the abuse.

\$25.3M Verdict

- A 13-year-old boy was abused almost daily by a supervisor at the Westerly School in Long Beach, California. Despite suspicions of abuse by one former employee, and incidents involving other teachers, none of this behavior is ever reported to the police.
Stephen W. v. Westerly School of Long Beach

\$14M Settlement

- Two adult women sexually abused by their middle school teacher recovered the largest “per victim” settlement in the nation: \$7 million each.

\$10.8M Verdict

- Boy sexually abused by teacher off school premises. School district previously received anonymous letter warning that teacher was acting improperly with boys.

High \$\$ Verdicts and Settlements California Cases

Some Sexual Abuse Statistics

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[Praesidium Report 2022 \(praesidiuminc.com\)](https://praesidiuminc.com)

Review of 44 at-fault cases:

- Payouts ranged from \$35-55,000,000
- Mean (average) = \$5,684,948
- Average payout for jury verdict = \$10,300,000
- Average payout for settlement out of court = \$2,500,000
- 27 settled out of court



It's Not Just Schools, Either...

- **Highest verdict ever?** Friday, May 5: Just this past week, a jury in Lake Elsinore, CA awarded \$2.28 billion to an individual victim in a child sex abuse case.
- **City settlement:** In Santa Monica, CA, an additional \$122 million settlement (in addition to \$100M prior settlement) was approved for victims of abuse by a former employee and volunteer in the city's Police Activity League.

https://www.advisen.com/tools/fpnproc/fpns/articles_new_44/P/512603511.html?rid=512603511&list_id=44

Long-Term Consequences From the CDC

Experiencing child sexual abuse can affect how a person thinks, acts, and feels over a lifetime. This can result in short- and long-term physical, mental, and behavioral health consequences. Some examples are listed below.

Examples of physical health consequences:

- Sexually transmitted infections (STIs)
- Physical injuries
- **Chronic conditions later in life**, such as heart disease, obesity, and cancer

Examples of **mental health consequences**:

- **Depression**
- Post-traumatic stress disorder (PTSD) symptoms

Examples of behavioral consequences:

- **Substance use/misuse**, including opioid misuse
- Risky sexual behaviors, meaning sex with multiple partners or behaviors that could result in pregnancy or STIs
- Increased risk for perpetration of **sexual violence**
- Increased risk for **suicide or suicide attempts**

Long-Term Consequences From the CDC

[Fast Facts: Preventing Child Sexual Abuse](#) [|Violence Prevention|Injury Center|CDC](#)

Experiencing child sexual abuse can also increase a person's risk for future victimization. For example, recent studies have found:

- Females exposed to child sexual abuse are at **2-13 times increased risk** of **sexual violence victimization** in adulthood
- People who experienced child sexual abuse are at **twice the risk** for non-sexual intimate **partner violence**

Transforming the Trend: SAM Symposium

<https://www.ajg.com/us/transforming-the-trend-symposium-resources/>

- K-12 schools & school pools, youth-serving nonprofits, higher education
- Keynote speakers, panel discussion, cohort work
- Key findings
- Post-symposium actions:
 - Symposium Report
 - Strategic Action Plan and ongoing work:
 - Resources
 - Awareness and Support
 - Data

Transforming the Trend: Sam Symposium

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Key Findings

- ✓ We need to raise awareness among leaders; we lack a sense of urgency

“Most instances of sexual misconduct are the result of a long-term process, in which boundaries are breached gradually and lines of appropriate behavior are blurred. What may begin as an expression of care and compassion for a child can devolve over time into boundary violations or abuse when there is a lack of clear guidelines, effective training, appropriate coaching or corrective behavior.”

Transforming the Trend Symposium Report,
Gallagher, 2023

“Leadership is tasked with making the right decisions, even when they are tough decisions. Let’s make a conscious decision to respect the inherent value of our children and commit to training and prevention! When presented with the data, it will be hard not to choose sexual abuse awareness.”

Angela Crotty, Chief School Business Official
Midlothian School District, IL



Transforming the Trend: Sam Symposium

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Key Findings

- ✓ We need to raise awareness among leaders; we lack a sense of urgency

A few of the barriers to change ***that we need to address***:

- Lack of recognition of SAM as a prevalent risk that needs ongoing treatment
- Not understanding the need to change the culture of silence – and change behaviors
- Lack of reliable data and strategic, big-picture thinking
- Lack of resources and capacity
- A reliance on insurance as the primary solution and assuming that insurance will continue to be available
- Passing the trash

Transforming the Trend Symposium Report,
Gallagher, 2023



Transforming the Trend: Sam Symposium

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Key Findings

- ✓ We need to develop a broader understanding and approach to manage this risk



Transforming the Trend: Sam Symposium

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Key Findings

- ✓ Policies and processes need to be survivor-centric

Barriers to change ***that we need to address:***

- Claims management processes that prioritize “brand protection” over the safety of children
- The mistaken belief that no reported claims means that there is no SAM behavior occurring
- Policies and procedures that punish people rather than regarding incidents as opportunities for correction and training
- A lack of listening and empathy, punishing reporters, mishandling allegations



Insurance | Risk Management | Consulting

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SYMPOSIUM REPORT

Working Together to Disrupt the
Pattern of Child Sex Abuse



– Thought leader perspectives

[Kathleen McChesney, Consultant, Kinsale Management Consulting \(Video\)](#)

[Janice Abraham, CEO, United Educators \(Video\)](#)

[Q&A with Industry Leaders](#)

– Insurance marketplace

[Claims and Stats Presentation, Gallagher](#)

[State of the Reinsurance Market, Gallagher Re \(Video\)](#)

[Insurance Carrier Benchmarking: Sexual Abuse and Molestation Liability](#)

– Societal impact

[Nonprofits Called to Empathy and Action](#)

[Preventing and Addressing Child Sex Abuse in Youth Serving Organizations](#)

[Fast Facts: Preventing Child Sex Abuse, CDC](#)

[Child Sexual Abuse](#)

– Claims and verdicts

[2022 Praesidium Annual Report](#)

[2023 United Educators Large Loss Report](#)

– Legislative trends

[2022 Statute of Limitations Tracker](#)

[A Call to Action for Policymakers and Advocates, Enough Abuse Campaign](#)

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Dorothy M. Gjerdrum
Senior Managing Director
Public Sector & K-12 Education
Dorothy_Gjerdrum@ajg.com

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