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Statement of Gloria Allred

Last month it was reported in the press that over 20 women had come forward to allege that Bill Cosby had either drugged or sexually assaulted them or committed both acts of misconduct against them. Many of those alleged victims contacted me to determine if they had any legal rights that they could assert against Mr. Cosby.

Unfortunately, with a rare exception, I had to inform these women that it was too late for them to file a lawsuit against Mr. Cosby because of the statute of limitations. This statute of limitations is an arbitrary time period set by law during which a victim must file a lawsuit or be forever barred from pursuing it. It varies from state to state, but for most women who allege that Cosby assaulted them it is simply too late for them to have their day in court (unless they were a victim of child sexual abuse by Cosby in which case in some states they are still able to pursue a lawsuit even decades later when they are adults).

For many of these alleged victims it is frustrating to hear that it is simply too late to obtain a legal remedy and for supporters of Bill Cosby, it is also upsetting to them that Cosby is being accused but no jury will decide if he is telling the truth or not.

Today, I am here to propose two new solutions to this public dilemma, and a way to determine if Bill Cosby is a saint or a sexual predator.

The statute of limitations is what lawyers call an affirmative defense. The only reason that Mr. Cosby is able to avoid dealing with this in a court of law is because of the statute of limitations but if he is so confident that he has done nothing wrong then he could waive (meaning not assert it) in a court of law.

Then his alleged victims would have an opportunity to have their allegations dealt with on their merits. Bill Cosby would have an opportunity to address these allegations in a court of law and the victims and Mr. Cosby would have an opportunity to have a judge and jury decide who should be believed.

In other words, for any woman who claims that she is a victim, Bill Cosby could agree to waive the statute of limitations and invite the accusers to sue. Then Bill Cosby and his accusers would have an opportunity to go before a judge and jury and everybody wins. In short, Cosby should agree in advance that he would waive and give up the statute of limitations defense.

He could open the window to resolve these issues, as was done with the Catholic Church cases in California which involved allegations of sexual abuse by priests. There the legislature and the governor opened the window and allowed many victims of sexual abuse whose cases were previously barred by the statute of limitations to sue if they did so within the new one year period offered to them by the law which was passed for that purpose. This way victims and the Church could have their day in court.

Under our proposal, the alleged victims could present their claims and Mr. Cosby could present his defenses. The public deserves to know if Mr. Cosby is a saint or sexual predator. This can best be accomplished by providing a window of opportunity so that all alleged victims can come forward and have their day in court.

Mr. Cosby should have an opportunity to defend himself. A judge and jury should decide. Everyone's rights are protected and in this way the truth will emerge. It could be advantageous for Mr. Cosby to give up the statute of limitations because there is a huge cloud on his reputation and legacy.

It is also not fair to the alleged victims to have Mr. Cosby's representatives make statements about some of the women who make accusations about Mr. Cosby and then the victims have no opportunity in a court of law to prove what happened to them.

Justice demands accountability and if Mr. Cosby is found liable then he should be held accountable. If not, the public will know it. If Mr. Cosby believes all the women are being untruthful, then this is his opportunity to prove it. What could be fairer than that? Mr. Cosby could agree that there would be one lawsuit for all those who had been previously barred by the statute of limitations. Then he could litigate all of the cases at the same time. Everyone who had claims of sexual assault by Mr. Cosby could join and there would be an opportunity for Mr. Cosby to defend himself.

Alternately, if Mr. Cosby doesn't want to waive the statute of limitations because he is not willing to subject himself to scrutiny in a court of law he should agree to place \$100 million into a fund and anyone who claims she was a victim could appear before a panel of retired judges who would serve as arbitrators to determine the merits of each claim and the amount of compensation that would be appropriate if the claim has merit. This alternative would occur in a mediator's office, not in a court of law.

Victims could present their cases and Bill Cosby could make his arguments in defense to the retired judges. The judges would then decide. It is time for justice and accountability. We challenge Mr. Cosby to end this nightmare for both him and the alleged victims by accepting either of the options which I propose.

We look forward to his response.

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