

Matt Lauer is No Longer at NBC, but will he Face Legal Repercussions?

By Dwight Bibbs, J.D. Candidate 2020 | December 1, 2017

It began with [Harvey Weinstein](#). The outpour of support for victims of Weinstein’s predation has [encouraged a wave of women to open up about sexual misconduct](#) that they have faced from a number of prominent men in our society. Longtime NBC anchor, Matt Lauer, is the most recent public figure to face allegations. Though, like most that have faced these recent allegations, Mr. Lauer was relieved of his current job, one pressing question still remains: will Mr. Lauer face legal repercussions for his actions?

Like so many questions that have to do with the law, the short answer is: it depends. For Mr. Lauer and most other prominent men that have been accused of sexual assault and other forms of sexual misconduct, the statute of limitations in the various states in which they have been accused is the most important determinant when considering the potential legal liability of these men.

In Mr. Lauer’s case, his alleged conduct occurred in the state of New York. In New York, an accuser has [two to five years to allege criminal sexual assault cases](#), but there is no statute of limitations for rape allegations. In the civil context, accusers have up to seven years to bring a suit under New York’s Gender-Motivated Violence Act for a “crime of violence motivated by gender”. Further, claims against employers and co-workers for unwanted sexual advances and lewd remarks can be brought up to three years after the incident occurs.

Under Federal Law (Title 7 of the Civil Rights Act), accusers have only 300 days to bring claims of quid pro quo or creation of a hostile work environment. In this circumstance, however, accusers first take their claims to the U.S. Equal Employment Opportunity Commission (EEOC), which can bring a lawsuit against the employer but, importantly, not against individuals. Additionally, this route would preclude an accuser’s ability to bring a suit themselves.

To date, NBC has reportedly received at least three separate complaints regarding Mr. Lauer’s inappropriate sexual misconduct. The most recent publicized allegations involved conduct that occurred in 2014, which could potentially subject Mr. Lauer to criminal and civil charges under New York state law. An allegation detailing an incident that allegedly occurred in 2001 could only be brought against Mr. Lauer as a rape charge because the statute of limitations has been exhausted for all other avenues.

It is important to note that, thus far, the women that have accused Mr. Lauer have done so without revealing themselves to the public. In order to subject Mr. Lauer to legal repercussions, these women would likely have to shed their anonymity, and risk uprooting their careers as well as their personal lives. Difficult personal decisions and legal questions must be answered before we’ll see if Mr. Lauer (and others that have been similarly accused) should fear not only the end of their careers, but also the force of the rule of law.