



Dear Brothers and Sisters,

Re: Oppose Unfair Retroactive Statutes of Limitation Amendments

The Catholic Church has learned hard lessons regarding child sexual abuse and has taken responsibility for the abuse that has occurred within its ranks. The dioceses across Pennsylvania have implemented changes that offer assistance to abuse survivors and affirm that they are not at fault for the crime committed against them.

The Church has also taken great strides to protect children and provide financial assistance for survivors and their families, no matter how long ago the crime was committed, and for as long as necessary. Children and adults are trained to recognize and report signs of abuse to ensure that the children in our care are safe and secure. In the Diocese of Scranton alone, over \$1.5 million has been expended on safe environment training. And to date, Pennsylvania's dioceses have collectively spent over \$16.6 million to provide compassionate and supportive victim assistance to individuals and families. To learn more about the Catholic Church's assistance for survivors please check the following website: <http://www.pacatholic.org/assistance-for-sexual-abuse-survivors/>.

Presently, a bill in the Pennsylvania State Legislature that has moved from the House of Representatives to the Senate addresses the statute of limitations in cases pertaining to the sexual abuse of minors. As Bishop of Scranton, I support the removal of statute of limitations in criminal cases and could support a prospective extension of the statute in civil cases, especially one that treats all survivors identically.

In the proposed bill, however, state lawmakers are considering legislation that would retroactively nullify the statute of limitations for filing a civil lawsuit alleging childhood sexual abuse. It would force parishes, dioceses, schools, and charities to defend cases that are 20, 30, or 40 years old, long after the perpetrator and possible witnesses have died or clear evidence is gone. It could lead to the closure of parishes, schools, and ministries of today's Catholics, who are in no way responsible for abuse that occurred decades ago.

As proposed, a retroactive nullification of these statutes would open a floodgate for lawsuits against private and nonprofit organizations, but it would not apply to public schools or government agencies. Public entities would still be able to claim sovereign immunity from lawsuits, even though the vast majority of Pennsylvania students -- 83 percent -- attend public school. Survivors abused in public schools, juvenile detention facilities, or county foster care programs could not bring suits under the legislation. In this regard, it is worth noting that while the abuse of minors by members of the clergy is particularly abhorrent, the percentage of abusers among members of the clergy is no different than the percentage that exists in the population at large.

Measures that nullified the civil statute of limitations in other states drained billions of dollars from current ministries, parishes, schools, and dioceses. Bankruptcy and severe debt was the only option for most dioceses in the states with retroactive windows. In Delaware, where a retroactive law was adopted, more than half of the individual parishes in the state were sued. One parish in Delaware was hit with a verdict of over \$3 million. Very few could afford to go to court; none were able to defend themselves on their own. Financially, they had no choice but to join a group settlement without establishing the facts of individual cases.

Sexual abuse is a serious crime that affects every institution and community in Pennsylvania, public and private. Concerning HB 1947, along with the other bishops of Pennsylvania and the Pennsylvania Catholic Conference, I do not oppose the elimination of the criminal statute of limitations. We can all agree that anyone who sexually abuses a child should be severely punished by the law. Sexual predators should be locked behind bars and removed from society so they cannot hurt anyone else. Criminal cases require a burden of proof that is beyond a reasonable doubt and fairness is built into the system with many checks and balances. Because of its gravity, it needs to be dealt with comprehensively and fairly. Any discussion of a legislative remedy must protect all children, not simply penalize some institutions.

Everyone who values our parishes, schools, and charitable organizations should urge their state lawmakers to oppose unfair changes to the civil statute of limitations.

To use the Pennsylvania Catholic Advocacy Network to send this strong message to your legislators, please use the following website: <http://www.pacatholic.org/resources/voter-voice/?vvsrsrc=%2fCampaigns%2f45765%2fRespond>.

Thank you,

Faithfully yours in Christ,

 *Joseph C. Bambera*

Most Reverend Joseph C. Bambera, D.D., J.C.L.
Bishop of Scranton