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The time is now: childhood sexual abuse and statutes of limitation

Maureen Paul Turlish | Dec. 9, 2011 Examining the Crisis

Both Pennsylvania and New York will have an uphill battle to get any legislation dealing with the sexual abuse of children discussed, let alone signed into law, regardless of what has been happening lately at Penn State, Syracuse or any other educational, religious, public or private institution.

This is especially true if Philadelphia's Archbishop Charles Chaput and New York's Archbishop Timothy Dolan have anything to do with it.

Both churchmen, along with their respective state Catholic conferences, have drawn lines in the sand in their continued attempts to avoid the accountability and transparency the U.S. Conference of Catholic Bishops agreed to in 2002 to say nothing of the right everyone has to access justice through this country's judicial process.

Especially significant are the remarks Dolan made to reporters during the November meeting of the U.S. Conference of Catholic Bishops in Baltimore. Dolan, who heads the U.S. Conference of Catholic Bishops, compared the widening sex abuse scandal at Penn State University to the decades-long crisis in the Roman Catholic Church as if the latter were a thing of the past.

Actually, the archbishop misspoke when he said the present Penn State sexual abuse scandal "over a former football coach accused of sexually abusing young boys reopens a wound for the U.S. Roman Catholic Church."

The "wound" Dolan refers to never closed. It is a "wound" that has continued to fester since the Archdiocese of Boston imploded in 2002, revealing a massive cover-up by the hierarchy.

It is an open, festering wound in places like the Archdiocese of Philadelphia, where the criminal trial of Msgr. William Lynn and four others begins in March 2012.

It festers, too, in Missouri, where Bishop Robert Finn has been criminally charged for not reporting the pornography found on a priest's computer as required by law. It festers in New York, where individuals like State Assemblywoman Marge Markey continue to press for legislation that gives some recourse to the justice that has long been denied to all older victims of childhood sexual abuse.

Even though investigators said charges against Syracuse University Coach Bernie Fine were credible, he could not be charged because of arbitrary and discriminatory statutes of limitation [1].

Why does this "wound" remain open 10 years after the U.S. bishops mandated accountability and transparency?

Well, for one thing, the bishops of the United States have never really admitted, individually or collectively, to their part in covering up for clergymen known to have sexually exploited children, young people and vulnerable adults while failing miserably to protect the most precious of their charges -- the children.

Yes, the leadership of the Roman Catholic Church has "a long way to go," to use Dolan's words, in making up for the egregious crimes and mortal sins that have been committed against children, but "failures" and "mistakes" are words that do not begin to describe the agony thousands of children were left to go through while the few adults who dared to confront pastors or bishops over the behavior of rogue priests were bullied, harassed and intimidated into silence, often with threats of eternal damnation and, of course, counter-suits.

These were crimes against the very humanity of children for whom there was no recourse to justice in the majority of cases because of the arbitrary, discriminatory and grossly inadequate statutes of limitation that exist in most states.

Dolan offered to work with "Penn State administrators on a national education campaign to stop abuse."

Does Dolan actually believe that the Roman Catholic Church has set some kind of a gold standard, either in regard to confronting the incidence of sexual abuse by clerics or in taking responsibility for the orchestrated cover-up by church leadership that followed?

It has not.

In a recent conversation with Cathy Lynn Grossman of *USA Today*, Dolan offered to share the supposed wealth of experience the bishops have in successfully dealing with the church's problems [2].

What chutzpah.

On Monday, Pennsylvania state Representative Dennis O'Brien convened an informational meeting of the House Children and Youth Committee, of which he is the majority chair. Along with Rep. Louise Bishop, who made public her own sexual abuse some weeks ago, O'Brien heard from eight individuals [3], including victims, a deceased victim's parent, advocates, the former deputy district attorney from Philadelphia who is now a senior prosecutor in Lehigh County and a constitutional lawyer and author from New York.

O'Brien made known his intentions to introduce a package of five bills to protect children -- House Bills 2046 through 2050 -- some sections of which repeat portions of House Bills 832 and 878, which were introduced March 1, before revelations of sexual abuse at Penn State became public.

What the scandals at Penn State, Syracuse and elsewhere make clear is that while the cover-up of sexual abuse by the hierarchy of the Roman Catholic Church was, and to a great extent continues to be, widespread, systemic and endemic, the sexual abuse and exploitation of children is not peculiar to this one organization.

That having been said, the question remains, How can the hierarchy of the Roman Catholic Church ethically or morally justify its opposition to legislation that would better protect all children while holding all sexual predators and their enablers accountable, regardless of religious affiliation?

Through its bishops and state Catholic conferences, the Roman Catholic Church is the most powerful institution opposing better child protection legislation in this country, bar none.

Dolan has been very vocal in his opposition to any proposed legislation in the state of New York that has sought to hold either sexual predators or enablers accountable.

In seeking to shield the Roman Catholic Church from the accountability and transparency it was forced to promise in 2002, such opposition now gives more protection to sexual predators -- whether they are parents,

ministers, priests, imams, rabbis, doctors, teachers or coaches at universities like Syracuse or Penn State -- than to the victims themselves.

In opposing legislative reform in New York, Dolan is not unlike Philadelphia's Archbishop Charles Chaput in Pennsylvania, who has united with the Commonwealth's bishops and the Pennsylvania Catholic Conference in opposing any legislation that would enable victim/survivors of childhood sexual abuse to access justice, no matter when they were sexually exploited or by whom.

Archbishops Dolan and Chaput, along with most of their fellow bishops, haven't a clue as to the suffering that the hierarchy of the Roman Catholic Church's has caused and continues to inflict on sexual abuse victims because they have never been truly accountable or transparent.

No one in the Catholic community has suffered more than the innocent children whose minds, hearts and souls were torn asunder by those who stood in the place of Our Lord Jesus Christ.

Baltimore's former archbishop, Cardinal William Keeler, correctly described such horrific sexual abuse by a trusted minister of God when he used the term "soul murder," for it truly is that.

Dolan, as president of the United States Conference of Catholic Bishops, should be at the head of the parade in advocating for the removal of all criminal and civil statutes of limitation in regard to the sexual abuse of children, but he is not heading up that parade, and neither is Chaput.

Such behavior can only signal an insidious moral and ethical bankruptcy that should be repugnant to all.

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