

# ATTACKS ON THE CONFESSIONAL

*On January 23, Bill Donohue wrote a letter to all Montana lawmakers protesting a bill that would vitiate the seal of the confessional. On January 29, the bill was tabled by the legislators. A more serious case then emerged in Washington. Below is an excerpt of Donohue's letter to the state's lawmakers.*

The issue of the sexual abuse of minors is a serious one, and efforts to combat it are meritorious. But good intentions are not enough. Public policy must also be judged on what it yields. If it does not correct the problem, and indeed creates new ones, then it is flawed. This is true of Senate Bill 5375 and House Bill 1211.

These bills would remove the clergy exemption from reporting information about child abuse learned in the confessional. Not only would they do nothing to curtail child abuse, they would eviscerate the priest-penitent privilege.

State encroachment on religious liberty is proscribed by the First Amendment. Accordingly, it must be weighed against the right of the state to protect children from abuse. Balancing these vital interests can be done. Indeed, it was done last year when a compromise was proposed: The priest-penitent privilege would remain, but if the priest learned that a child was in imminent danger, he had to contact the authorities. This bill passed in the Senate but languished in the House. Now the Senate is going along with the House version.

This begs a series of questions.

What broke? Where is the evidence that the compromised bill is inadequate? For that matter, where is the evidence that child molesters—in any state—report their crimes to priests in the confessional? We have been studying this issue for decades but we can't name a single instance where this has happened. If

any lawmaker has evidence to the contrary, you have an obligation to make it public. If not, what exactly are you trying to do?

Similarly, does any lawmaker really think that if priests have to choose between violating their vows and abiding by the strictures in this bill, they would choose the latter? If so, they need a reality check. A priest who breaks the seal of confession would be excommunicated from the Catholic Church. They would rather go to jail before doing so.

State Sen. Noel Frame says she is sympathetic to religious lawmakers who have a hard time dealing with this issue, but she also knows that “far too many children have been victims of abuse—the Legislature has a duty to act.” She’s right.

This begs another round of questions.

What exactly have Washington lawmakers done about child sexual abuse? As a sociologist who has written a book on this subject, I can tell you that the most likely persons to abuse a child are live-in boyfriends. Has anyone done anything about this? What about the sexual abuse of minors in the public schools? Now there is a rich subject.

In 2022, under the Biden administration, the U.S. Department of Education’s Office for Civil Rights studied all 50 states and found that in 2017-2018, only three states had more sexual assaults per 1,000 students than Washington. When it comes to rape or attempted rape per 1,000 students, only six states had a worse record.

Last year the Seattle Public Schools agreed to pay \$16 million to a former student who said that the district failed to protect her from being sexually assaulted by two coaches. How could this possibly happen?

Now we have learned that House Democrats have introduced a new bill that would withhold notifying parents about the sexual

assault of their child in school for up to 48 hours. In doing so, this bill directly overturns a parental rights bill that the voters previously approved. Worse, these same lawmakers have taken steps to permanently negate the will of the people. What's going on? There seems to be more interest in defending the rights of assailants than there is the welfare of the child or the rights of their parents.

Those who are lobbying to promote the House and Senate bills include the Survivors Network of those Abused by Priests (SNAP) and the Freedom From Religion Foundation (FFRF). The former is a shell of what it once was, having been shown by the courts to be a total fraud. The latter is one of the most anti-Catholic atheist organizations in the nation. So these are the kinds of people some lawmakers are listening to?

There is time to reconsider this bill. Please do so.