

KENTUCKY BILL TARGETS THE CONFESSIONAL

A bill was introduced on January 7 in the Kentucky House of Representatives that would end the priest-penitent privilege as it currently exists in the state. Kentucky, like most other states, respects the confidential nature of the confessional by allowing priests and other clergymen an exemption from mandated reporting laws. But the new law would end this exemption when it comes to “communication relating to the neglect or abuse of a minor child”; the law would apply to all religions equally. However, it would continue to respect the exemption that protects attorney-client relationships.

Rep. Susan Westrom, the bill’s sponsor, admits that what prompted her to act is the sexual abuse scandal in the Catholic Church. She said the “timing is probably excellent in view of the history of abuse of children we’ve seen in the last two years...”

Catholic League president William Donohue spoke to this issue today:

“This bill does not touch tangentially on church-state relations—it cuts to the core. The sanctity of the confessional is one of the most important elements of the Sacrament of Reconciliation. Indeed, it is impossible to fathom how the sacrament could operate if the government is permitted to penetrate the privacy of the priest-penitent relationship. At stake is both the religious liberty clause of the First Amendment and the establishment clause.

“The timing of the law is suspect. If it had been established that in Kentucky, and elsewhere, Catholic priests had learned of cases of child sexual molestation in the confessional and did not report them, then at least the motivation behind the

legislation would make sense. But no one is making this charge. And with good reason—the cases of child sexual abuse that have come to light have had nothing to do with information learned in the confessional. Now when this reality is acknowledged, and when it is coupled with the fact that the attorney-client privilege is to remain intact, it gives off a foul stench. Catholics and Protestants have pledged to fight this bill and we look forward to their success.”