

# NEW YORK STATE ABUSE BILL: OUR EFFORT PAYS OFF

In mid-April, two New York state senators announced that they will introduce legislation to eliminate the statute of limitations for sexual abuse crimes against minors—in public as well as private institutions. The announcement followed a determined effort by the Catholic League to insist that any such legislation must end the special protections that have long shielded public sector employees—like public school teachers—and equally protect all childhood victims.

On April 1, we appealed to state Senator Brad Hoylman to amend his bill eliminating the statute of limitations for sexual abuse, to include those abused in public institutions.

“In your March 30 column in the *Daily News*,” Bill Donohue wrote, “you say, ‘Until every childhood sexual abuse victim has the opportunity to confront their abuser in court, the headlines will remind us that our business is unfinished.’ This is so true. That is why I implore you to amend your bill on this subject to include all childhood victims: Your bill does not address those who have been abused in the public schools.” Noting Hoylman’s desire to provide a “one-year ‘look-back’ period in which past claims could be resolved,” Donohue wrote: “That is a commendable position but its application is limited to private institutions.”

Noting that Hoylman had written that he was using an ongoing *Daily News* series on this issue to get his Senate colleagues to support his bill, we called his attention to a *Daily News* editorial of March 30:

“‘All institutions that are responsible for protection of the welfare of minors must be treated equally before the law,’ it said. The editorial also notes that pending legislation would

perpetuate an 'inequity,'” in that “changes would ‘apply only to private institutions, and not to local government institutions, such as the public schools.’”

“If you are as impressed as we are with the *Daily News* editorial,” we urged, “then please amend your bill to be inclusive of all institutions.”

Hoylman’s initial response was unsatisfactory. Asked by *Daily News* reporter Ken Lovett about our request that he amend his bill, the senator said that while he supports treating private and public schools alike, “it would be wrong to hide behind the issue to block legislation from being passed.”

Accordingly, the Catholic League contacted every member of the New York legislature and asked them to submit a bill that would suspend the statute of limitations for the sexual abuse of minors, with one caveat: that it cover only the public schools. If anyone objects, all they need do is take a page from Sen. Hoylman and say that while private and public schools should be treated the same, “it would be wrong to hide behind the issue to block legislation from being passed.”

Then on April 10, in a *Daily News* exclusive, Lovett (who, we noted, “has covered this issue better than anyone”) reported that Hoylman and Sen. Andrea Stewart-Cousins would introduce a new bill that covers all institutions equally, whether public or private. We commended Hoylman for this pivot: “That is how it should be: justice demands that young victims of sex crimes be treated equally, independent of the venue of the offense.”

But the battle is far from over. Assemblywoman Margaret Markey has for years been pushing a bill that would extend the statute of limitations for abuse in private settings, while leaving the public schools alone. In 2009, she tried amending the bill to include public schools—and was met with such a firestorm of opposition from public sector interests, including the powerful teachers unions, that the bill went

nowhere. Hoylman and Stewart-Cousins can expect that same type of upheaval against their bill from public sector interest groups. Let's hope they show more courage and staying power than Markey, who retreated in the face of public sector opposition back to the safety of a private institutions-only bill, which she has continued to propose every year, with no success. Her latest ploy was to try to hold a screening of the movie "Spotlight" in the state Capitol this May to build support for her bill. Her own Democratic Assembly majority rejected that scheme.

There is also, as Donohue conceded, legitimate concern about tampering with the statute of limitations. "As someone who has written two books on civil liberties," he noted, "I am well aware of the solid legal grounds upon which the statute of limitations has been crafted, and I support them. But as president of the Catholic League, I have a different charge: our goal is to fight defamation and discrimination against Catholics and the Catholic Church. That is why I commend Senator Hoylman and Senator Cousins for their initiative."