

# OPEN LETTER ON CALIFORNIA CONFESSIONAL BILL

May 29, 2019

Hon. Jerry Hill  
State Capitol, Room 5035  
Sacramento, CA 95814

Dear Sen. Hill:

Regarding SB 360, you have been quoted as saying that “the clergy-penitent privilege has been abused on a large scale, resulting in underreported and systemic abuse of thousands of children across multiple denominations and faiths.”

Could you please provide my office with documentation to support that claim? I will not be coy: I don’t believe you can. But go ahead and prove me wrong.

There have been several inaccurate reports in the secular and Catholic media about the number of states that do not honor the clergy-penitent privilege in cases involving the sexual abuse of minors. There are six: New Hampshire, West Virginia, North Carolina, Oklahoma, Rhode Island, and Texas (See “Clergy As Mandated Reporters of Child Abuse and Neglect,” [www.childwelfare.gov](http://www.childwelfare.gov)).

If you are right, then these states must have a trove of evidence showing how “the systemic abuse of thousands of children” has been uncovered now that the clergy-penitent privilege is no longer operative. I don’t believe you have such data, and that’s because it doesn’t exist.

The sexual abuse of minors is an outrageous crime. It is also outrageous to sponsor a bill that allows the state to encroach on religion while doing nothing to resolve this issue. That’s

a lose-lose. That is why I am asking you to withdraw your bill.

Sincerely,

William A. Donohue, Ph.D.  
President