

PHILADELPHIA INQUIRER'S IRRESPONSIBLE REQUEST

To: Pastors, Archdiocese of Philadelphia
From: Bill Donohue
Date: 2-22-11
Re: *Philadelphia Inquirer*

This article was submitted to the *Philadelphia Inquirer* as an op-ed piece. Because I have not heard back from them, I am sending it to you. Please feel free to make copies of it if you would like.

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A recent editorial (Feb. 17, "No More Excuses") called for the Archdiocese of Philadelphia to "make public its files on sexual abuse to better inform parishioners." It also called for a law that provides "a two- year window for victims to file civil claims," and to "abolish the statute of limitations for all criminal sexual offenses against minors."

It is my sincere hope that the archdiocese does absolutely nothing to comply with this request, and that the state legislature similarly does nothing, *unless* a level playing field is established.

Despite the allegations of the second grand jury report on the archdiocese, the fact remains that the problem of priestly sexual abuse is nowhere less found today than in the Catholic Church. The timeline when most of the abuse occurred was from the mid-1960s to the mid-1980s, at the height of the sexual

revolution. In the last five years, the average number of credible accusations made against over 40,000 priests for the sexual abuse of a minor was 8.6; there were six allegations in 2009. Quite frankly, there is no institution, religious or secular, that has a better record today, proportionately speaking, than the Catholic Church.

Charol Shakeshaft, the nation's leading expert on the sexual abuse of minors in the public schools, estimates that the rate of abuse among public school employees is 100 times greater than found in the Catholic Church. So common is the practice of moving miscreant teachers around that it's called "passing the trash." In many cities they have what are called "rubber rooms," places where accused child-molesting teachers are allowed to do paperwork, or nothing at all, and draw a full salary. Tenure protections, written into state constitutions, insulate them from being treated with the kind of disciplinary actions that typically await those charged with abuse in private schools.

Moreover, most states insulate public employees from revisions in the statute of limitations unless the proposed amended bill explicitly states otherwise. It all goes back to what is called "crown immunity," a provision found in English common law, and later adopted by the states, that limits liability of public agencies.

In other words, if Pennsylvania lawmakers were to follow the editorial advice of this newspaper, only private school employees would be effected. To make things fair, the law would have to state that the new bill applies equally to public and private employees.

Guess what has happened when an equal playing field has been proposed? In Colorado and New York, the public school establishment, which sat comfortably on the sidelines when only private (read: Catholic) schools were targeted, suddenly came thundering down in opposition to any such revisions. Were

they wrong? No. Statutes of limitations were written for a very good civil libertarian purpose: witnesses die and memories fade, making it hard to establish due process rights for the accused when old cases are resurrected.

So here's the deal. The archdiocese should cooperate in publishing the names of accused priests *if* all other private and public institutions agree to do likewise. If it's important for the public to know if a priest has been accused of sexual misconduct, then we should know the names of all public school teachers, psychologists, lawyers, reporters, social workers, et al. who have had allegations made against them. Perhaps the *Philadelphia Inquirer* should lead the way by publishing all such suspected persons in its employ on its website. Wouldn't that be a tribute to inclusivity?

Additionally, lawmakers should amend the statute of limitations to blanket public employees as well as private ones. Then we can really find out who has a serious problem with the sexual abuse of minors these days.

For the archdiocese to comply absent an equal playing field would only feed the selective interest in justice.