

POLITICS OF SEX ABUSE IN NEW YORK

In an outrageous series of events in New York State involving unscrupulous lawyers, victims' advocacy groups, lawmakers and journalists, the Catholic Church has been unfairly portrayed as standing in the way of justice for those who have been sexually abused by members of the Catholic clergy, religious and laity. Before discussing the way the truth has been distorted, consider the facts.

For the past several years, there has been an attempt by some New York State lawmakers to promote legislation that would suspend the statute of limitations for cases involving the sexual abuse of minors. In every instance, the unstated target has been the Catholic Church. How do we know this? Because those sponsoring the legislation have intentionally done nothing to change the way the law treats abuse cases in the public schools. In California, what this meant is that those who alleged being molested in a public school a decade ago were uniformly turned away. Yet the courts accepted a case of someone who said he was abused in a Catholic school in 1929! This is the kind of "justice" some want to bring to New York.

In most states, the public schools are given special protections. In cases involving abuse, a victim student has only 90 days to file suit. After that, it is too late. What this means is that laws that suspend the statute of limitations for cases of the sexual abuse of minors that do not specifically mention the public schools (they almost never do) leave in place the 90-day rule. Thus, public schools get a pass. In other words, the goal of those who want to suspend statute of limitations laws is to "get the Catholic Church." It is not to protect kids or to render justice.

An Assemblywoman from Queens, New York, Margaret Markey, is

the person responsible for promoting this kind of scurrilous legislation in the Empire State. Her bill only addresses private institutions like the Catholic schools. For one year, a suit could be filed by those who allege that they were abused *regardless of how long ago the offense took place and regardless of whether the accused, or witnesses, are alive*. Meanwhile, her legislation would do nothing to affect the public schools.

To counter this discrimination, a bill was introduced by Assemblyman Vito Lopez that would treat private and public institutions the same way. Moreover, it would not focus on past cases of abuse, and for good reason: statute of limitations laws were written precisely to protect the rights of the accused. After all, how can justice be served when witnesses die and memories fade?

Despite all this, *Newsday*, the Long Island newspaper, took the side of the Markey bill. So did the *New York Times*. And in neither case did the newspapers even mention that there was an alternative to the Markey bill. As we pointed out, under Markey's bill, someone who alleges he or she was molested in a Catholic school when JFK was president could do so. But a kid molested in a public school as recently as last Christmas is already out of luck.

Sometimes it's not clear whether it's ignorance or malice that is at work. For example, the *National Catholic Register* recently ran a story on its blog about the two New York bills and the way the Markey bill discriminates against the Catholic Church. "In a detailed statement responding to criticisms of the bill," the story said, "Markey said that public schools have handled abuse cases well in recent years, whereas the Catholic hierarchy 'has relied on secrecy, quiet transfers and threats to hide abusers when the threat of public disclosure emerges.'" We were startled to read this, so we immediately checked it out.

When the Catholic League asked Markey's office for a copy of her statement, we were told by Rosemary Lategano that the story was wrong—there was no such statement. We then called the newspaper and obtained a copy of it. This led us to question: "Was Markey's office in error? Or were we lied to? One thing is for sure: Markey is wrong about the facts. She says the public schools have shown 'increasing sensitivity' to cases of child sexual abuse, and that they 'routinely move swiftly to respond to allegations against employees.'"

In 2007, the AP did a major report on this subject. It concluded that child sexual abuse in the public schools was "a widespread problem," saying there was "a deeply entrenched resistance toward recognizing and fighting abuse." Moreover, offending teachers are moved from one school district to another, so often that they are called "mobile molesters."

Two years earlier, author and educator John Seryak concluded that "The problem in education dwarfs the Catholic Church." And a year earlier, Dr. Charol Shakeshaft, the nation's leading authority on the issue, estimated a few years ago that "the physical abuse of students in schools is likely more than 100 times the abuse of priests." So common is the transfer of offending teachers that it is called "passing the trash." Yet reporters sympathetic to the public schools almost never mention such facts.

In other words, if lawmakers were really interested in the pursuit of justice, they would begin where the action is, namely in the public schools. Not only do they not do so, they deliberately leave in place all the special exemptions afforded the public schools. They are worse than phonies—they are as anti-Catholic as any redneck ever was. It's just that they dress differently and use the law as their weapon of choice.