

January 20, 2021

State Sen. Judy Lee  
State Sen. Kathy Hogan  
State Sen. Curt Kreun  
State Rep. Mike Brandenburg  
State Rep. Mary Schneider

Dear Honorable North Dakota Lawmakers:

Your interest in violating the constitutional rights of the priest-penitent privilege is duly noted. I am asking each of you to answer the following questions:

- 1) Can you identify a single instance—just one will do—where it was later learned that a grave injustice was done to a victim of clergy sexual abuse owing to the failure of a priest to disclose what he learned in the confessional?
- 2) Can you identify anything learned by the recent 18-month investigation of the Catholic Church by the Attorney General of North Dakota that justifies such an egregious violation of the First Amendment rights of the Catholic clergy and the Catholic laity? If there is reason to set off the alarms now, surely you can identify something specific found in the investigation that warrants such a draconian initiative.
- 3) Can you explain why you have given a pass to the lawyer-client privilege and the exemption afforded psychologists and their patients? Do they not learn of sexual abuse behind closed doors?

The Catholic League is the nation's largest Catholic civil rights organization. Over the past two years, we have fought such measures, successfully, in California and Utah. There is no way you can prevail in court by seeking to abridge such a foundational constitutional right as religious expression.

We deal with many issues of anti-Catholicism across the nation, but none galvanizes us more than a wholesale assault on our sacraments. What you have done is now a priority for us. We are not going away. We will now blanket the media and the Catholic community with our response.

Sincerely,

William Donohue, Ph.D.  
President