

5 Things TO KNOW

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STATUTE OF *Limitations*

The Archdiocese of Baltimore is committed to child protection in an effort to protect and heal, with zero tolerance for abuse. When allegations of child sexual abuse are brought to its attention, the archdiocese immediately reports to and cooperates with law enforcement. Across Maryland, nearly 70,000 Church employees and volunteers have undergone background checks and screening and 96,000 children and youths receive safe environment training annually.



1 WHAT IS A STATUTE OF LIMITATIONS?

A statute of limitations sets the maximum time after an event occurred that legal proceedings can be initiated. Maryland is one of the few states with no criminal statute of limitations for prosecuting a perpetrator of child sexual abuse. Maryland has a statute of limitations for civil or monetary lawsuits, taking into account that many years after an alleged incident, witnesses may be unavailable and the perpetrators may be deceased. In Maryland, the statute for an allegation of child sexual abuse was extended in 2017 to age 38, a change that the Catholic dioceses fully supported.

The Maryland General Assembly introduced legislation in early 2020 that would remove the statute of limitations on civil lawsuits for child sexual abuse and allow currently barred claims to be brought, no matter how long ago the alleged abuse occurred. Schools (private and public), churches, dioceses, parishes and religious institutes could be sued for allegations dating back many decades, though the law dramatically limits liability of public institutions. In other states where such laws have been enacted, most of the lawsuits are being filed against the Catholic Church.

2 ASSISTANCE FOR VICTIMS

Recognizing the pain of those harmed in the past, the archdiocese has long provided outreach and support to survivors of abuse, regardless of the passage of time and whether the statute of limitations applies. Archdiocesan leaders do this not because it is required by law, but because they believe it is the right thing to do. The archdiocese pays for counseling for victims and their families and provides other outreach, such as spiritual and pastoral care and financial compensation. At the survivor's request, Archbishop Lori personally meets with survivors to listen and apologize on behalf of the church.



3 IMPACT ON THE CHURCH

The type of “window” legislation being proposed has been devastating to the Catholic Church and those we serve – financially crippling parishes, schools and Catholic charities in places such as Delaware, California, New York and Minnesota. In Delaware, 162 of the 200 suits filed within the two-year look-back window were against Catholic institutions including the Diocese of Wilmington; almost 90 of these suits included a parish or local Catholic school. Especially since 2002 when the U.S. bishops passed the Charter for the Protection of Children and Young People, the Catholic Church has required mandated reporting, safe environment education, background checks, lay Review Boards and stronger psychological assessments for seminarians, leading to a dramatic decline in reported abuse cases nationwide. The Archdiocese of Baltimore has been fully compliant with the Charter and has further sought to be transparent by publishing its policies, releasing the names of credibly accused clergy and participating in annual audits.



4 DISPARITY OF JUSTICE

In the first month after a similar law was enacted in New York in 2019, nearly 97 percent of the 500 suits filed were against a large institution such as the Catholic Church or the Boy Scouts of America, according to a report by the Albany Times Union. Fewer than 20 cases have named solely an individual or multiple individuals, according to a Times Union analysis. That left many people who had been abused by an individual not affiliated with a large institution without a “path to justice” for all victims, the newspaper said.

That would likely be the case in Maryland, too, as trial lawyers would likely descend on the state to bring a flood of lawsuits, but only against entities where they could secure a large settlement. While a window bill in Maryland technically could apply to public entities, the reality is that lawsuits against public entities are strictly limited, leaving survivors harmed in public institutions with little recourse to “justice.” Such limits would not apply to nonprofit or other private organizations.



5 HOW TO ACT

For more information and to contact your legislators, sign up for the Maryland Catholic Conference’s online Catholic Advocacy Network at www.mdccatholic.org/joincan.

