



New York State Catholic Conference

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RICHARD E. BARNES
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MEMORANDUM OF SUPPORT

Re: A.9627, Cusick
In relation to the New York State Child Protection Act of 2016

The above-referenced bill is an omnibus child protection initiative designed to protect children from sexual abuse, and to allow existing and future survivors of such abuse a longer opportunity to seek justice in both criminal and civil courts. The New York State Catholic Conference strongly supports this bill.

By eliminating the criminal statute of limitations for the prosecution of certain sex offenses, the bill enables prosecutors to hold abusers accountable for crimes committed now and in the future, bringing unprecedented new protections to victims of child sexual crimes. In addition, this bill extends the time for civil claims to be bought by survivors of child sexual abuse until they are 28 years old, thereby ensuring victims have sufficient time to hold abusers civilly accountable for their actions. Importantly, notice of claim requirements are amended under this bill to ensure that victims of child sexual abuse are able to bring civil claims against all abusers, including those employed by municipal entities. Unlike some other bills before the legislature, all victims are treated equally under this bill.

Furthermore, this bill goes further than other legislation by addressing the societal problem of child sexual abuse in a comprehensive way. It expands mandated reporter requirements by adding clergy to the list of those who must report suspected cases of sexual abuse of a child, and requires all mandated reporters to not only report suspected familial abuse, but also suspected abuse at the hands of other mandated reporters. It also requires that all organizations, public or private, conduct criminal history searches on any employee or volunteer with the organization who has unsupervised contact with children. Costs to not-for-profit organizations associated with such criminal history checks would be reimbursed by the state under this legislation.

Sexual abuse is a crime and an assault on the dignity of the human person, made even worse when the victim is a child. Child sexual abuse is a pervasive social problem and the Catholic Conference fully supports legislative efforts to strengthen criminal and prospective civil

penalties for sexual abuse of children to ensure children are protected from predators now and in the future. This bill helps to ensure such protection, and the Catholic Conference strongly supports it.

Since 2002, the Catholic Church has had a zero tolerance policy for anyone credibly accused of abusing a child, and has taken more steps to prevent the sexual abuse of children than any other religious or private organization. No one who has been credibly accused of harming a child is currently in active ministry, and all Church employees and volunteers must complete sexual abuse awareness training if they are going to be in contact with children. Whenever a credible claim of sexual abuse is brought, it is both investigated by Church authorities *and* reported to law enforcement. Under U.S. Church law, every diocese is subjected to annual outside audits to ensure full compliance with these policies.

The Catholic Conference strongly urges the passage of A.9627 (Cusick) because it will help bring justice to survivors of child sexual abuse, will help to prevent abuse going forward and treats all victims fairly and equally, regardless of where the abuse occurred.