



New York State Catholic Conference

2017 Issue in Brief

Issue

Oppose a retroactive “window” in the civil statute of limitations related to child sexual abuse

Background

For well over a decade, legislation has been proposed that would open a one-year window for survivors of child sexual abuse to bring a civil lawsuit no matter how many years ago the abuse has been alleged to occur. In most cases, due to protections in existing law, the retroactive look-back would not apply to those abused in public institutions, like schools, county health clinics and pools, and juvenile detention centers.

Messages

- The sexual abuse of a child is a despicable crime, regardless of whether the offender is a member of the clergy, a teacher, counselor, or family member. Children must be protected from abuse in all cases, and survivors need to be helped on their journey toward healing. We support an extension or elimination of the criminal statute of limitations in cases of child sexual abuse so that abusers can be brought to justice and for the safety of society. We also support reasonable extension of the civil statute of limitations in such cases so survivors have more time to come forward to seek damages. Such changes in law must apply equally in all cases of abuse, wherever it occurred.
- Proposals that would open up the statute of limitations for claims of sexual abuse that are decades old is contrary to justice. It is impossible for institutions to defend claims that are 50, 60 or 70 years old when there are no witnesses, and evidence is long ago lost. Such proposals have generally not included any caps in terms of time or monetary awards, meaning a local diocese, private school, Scouting council or Boys & Girls Club could be driven into bankruptcy, curtailing needed services and programs over actions that are alleged to have happened decades earlier and for which the current leadership of these organizations have absolutely no connection.
- The Catholic Church has a zero-tolerance policy for sexual abuse. No one – clergy, religious, or laity – who has been found to have abused a young person or vulnerable adult may serve in ministry in any form ever again. We will never turn our back on victims of clergy sexual abuse. We urge all survivors to report their abuse immediately to law enforcement and to the local diocese, no matter how long ago it occurred. If a report is not made to law enforcement, the local diocese will do so if the perpetrator is still living. Every diocese employs a Victims Assistance Coordinator to assist survivors in receiving the help that they need to heal. Counseling, pastoral care and other appropriate assistance is provided regardless of when the abuse occurred.