

PRESS CONFERENCE ON STATUTE OF LIMITATION LAWS IN CHILD SEXUAL ABUSE CASES

TUESDAY, MARCH 1, 2011 - 10:00 A.M.

HARRISBURG STATE CAPITOL - MAIN ROTUNDA

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My name is Sister Maureen Paul Turlish. I was born and raised in Philadelphia, went to school and worked there until I entered the religious community of women known as the Sisters of Notre Dame de Namur. I taught junior high in Catholic schools in Drexel Hill and in Huntington Valley, PA and chaired fine arts departments at both Archbishop Wood and Lansdale Catholic High Schools in the Archdiocese of Philadelphia. I have lived and taught in Delaware since 1983, and chaired the fine arts department at St. Elizabeth High School in the Diocese of Wilmington for almost ten years.

I am a member of a number of advocacy groups and coalitions, among them the non-partisan, non-denominational Delaware Coalition, *Child Victims Voice*, (www.childvictimsvoice.com) and the *National Survivor Advocates Coalition*. (www.nsacoalition.org)

I am vice-president of the *Delaware Association for Children of Alcoholics* (www.dacoa.org) and while it says "Alcoholics" it includes a broad spectrum of addictions. I am on a Voice of the Faithful national committee for *Child Protection & Survivor Support* and chaired a sub-committee which created an *Advocacy Guide for Statute of Limitation Reform*. (<http://voices.votf.org/cpsr/files/2010/09/SOL-Adv-Guide-full-doc.pdf>)

Two points bear emphasis at the outset. The first is that childhood sexual abuse is not a Catholic problem any more than it is a Protestant, Jewish or Quaker problem. It is not a problem peculiar to any organization be it the medical community, the Boy Scouts or Boys Town.

However, the incidence and widespread cover-up of childhood sexual abuse by church leaders over decades, is another issue entirely, and one that church leadership has yet to adequately address, as has been documented in yet a second grand jury report on the Archdiocese of Philadelphia in less than six years. I am a Catholic sister. I have been involved in the education of children for over 35 years and I love my faith but I'm still waiting for church leadership to own up and take responsibility for their failures in protecting children.

Reforming inadequate statutes regarding children is not anti-Catholic but it is anti-rapist, anti-sexual predator and anti-enabler.

In most instances and in most jurisdictions, childhood sexual abuse goes undetected and unreported. At best, it is under-detected and under-reported and by the time individual victims begin to realize the trauma they have suffered statutes of limitation, both criminally and civilly, have usually expired.

The sexual exploitation of children and child abuse in general is a societal problem; it is an epidemic in this country as well as a pandemic, when broadly considered. We know that most childhood sexual abuse occurs in families. It is the most horrific abuse of power and authority on the part of perpetrators and is an unimaginable violation of the sacredness of the child. In many cases lives that held such promise early on descended into a hell of addictions, failed relationships and wrecked marriages.

The traumatic effect of sexual abuse on an individual's brain is not unlike that of a bullet to the head in many ways, or similar in its effects to what we know as post traumatic stress syndrome.

An intense traumatic event, whether it is a visible shot or a less visible sexual attack on a child, it causes the brain to "rewire" itself, not always in ways that benefit the individual.

Attempts at yet another rewiring of the brain after such trauma, coupled with the effects of addictions, personality disorders and the like, is a journey of many, many years.

Because of this the costs of health care alone may be astronomical and because of lower productivity in the workforce, oftentimes individuals will not be contributing as much as they would have, were they not affected by such childhood trauma.

All statutes of limitation, criminal and civil, should be removed in the Commonwealth of Pennsylvania. Not to do so is to discriminate against adults who have already suffered unconscionable violations at a very early age and who, in many cases, continue to suffer.

HB 832 addresses this and HB 878 addresses the necessity of opening a two year civil window for those who are barred from making criminal complaints and who, through no fault of their own, have been denied justice simply because they were too young to appreciate the terrible violations being done to them, because those who knew and should have protected them did not or both.

A civil window is *the single most effective means* toward stopping current childhood sexual abuse and preventing future abuse. A civil window is *the single most effective means* of holding sexual predators accountable for their crimes along with any enablers, if such exist. It is especially needed because federal rulings prohibit the retroactive application of criminal charges.

But let's be clear about what opening a civil window of two years does and doesn't mean. It simply means that victims will be able to access the justice system. The door to the courtroom has been opened, that's all. Opening a civil window guarantees nothing but this initial access.

Moreover, the burden of proof in a civil suit rests with the plaintiff and not with the accused so the argument, often put forward, that it is hard for the accused to prove innocence is a specious one. If evidence can not be found or has been destroyed, such a case goes nowhere while in a criminal case the burden of proof rests with the Commonwealth, the District Attorney, whose decision it is whether or not to bring charges based on the evidence presented.

Having the right to access justice in a civil suit also means that records and files on the accused can be subpoenaed and alleged enablers or facilitators of childhood sexual abuse can be deposed. Such information is only found in discovery and discovery cannot take place, as I understand it, without the action of a criminal or civil suit.

In our society we say that children have rights but those rights have been denied to the majority of victim/survivors of childhood sexual abuse *by anyone*, because arbitrary statutes of limitation too often give more protection to perpetrators than they do to actual victims. Most victims are forever denied having criminal charges leveled against their perpetrators. Are they to be denied this access civilly as well?

Delaware was successful in removing all civil statutes of limitation in 2007 with the passage of its *Child Victims Act* and it included a two year civil window for bringing forward previously time barred cases of abuse – *again, by anyone*. That window closed in July 2009. Now, in the state of Delaware, there are no criminal or civil statutes of limitation going forward, on the sexual abuse of a child, period.

Delaware's success in unanimously passing that legislation, including the civil window, was aided by the support of many individuals and organizations, including religious groups, who signed onto *Delaware's Child Victims Voice Coalition*.

Whatever else may have been accomplished by the revelations that church leaders had covered up the incidence of childhood sexual abuse, those revelations have pointed out that in the majority of our states laws covering the sexual abuse of children are arbitrary and inadequate. The same is true in regard to enabling individuals and organizations.

The legislature of the Commonwealth of Pennsylvania has the opportunity to stand up for children by supporting House Bills 832 and 878. I beseech members of the PA legislature to do whatever it takes to bring these bills into committee and eventually to both legislative bodies. Remove all statutes of limitation in regard to the sexual abuse of a child and provide for a civil window of at least two years.

We owe it to our children. Thank you and God bless you, SMPT