

**Christ the King Church**  
**Special Insert: May 29, 2016**  
***Background Information on PA House Bill 1947***

On April 12, 2016, the Pennsylvania House of Representatives voted 180-15 to eliminate the *criminal statute of limitations* on child sexual abuse and to extend the *civil statute of limitations* for victims from age 30 to age 50. The bill also allows for civil lawsuits to be filed *retroactively* for cases in which the victim is now between 30 and 50 years old. It is important that you understand the key issues involved in this legislation, which is scheduled to come up for vote in the PA Senate this summer.

***What are statutes of limitations?*** A basic principle of American law, statutes of limitations ensure fairness in our legal system by requiring lawsuits to be filed in a timely manner. These statutes exist in recognition of the fact that it can be nearly impossible for an individual or an institution to defend against a lawsuit from many years past, because over time witnesses' memories become unreliable, evidence is lost or never found, and in many instances witnesses that could establish the institution's knowledge or lack of knowledge about a particular case are deceased. Statutes of limitation typically vary between criminal and civil lawsuits.

***Why does the Church oppose this specific legislation?***

The Church does *not* oppose eliminating the *criminal statute of limitations* for child sexual abuse. It is clear that all sexual predators should be punished by the law and should be removed from society so they cannot hurt anyone else. To ensure fairness and justice in criminal cases, our judicial system includes many checks and balances, affecting both the prosecution and the defense, and criminal cases require a burden of proof that is beyond a reasonable doubt.

In contrast, there is a lesser burden of proof in *civil cases*, and a civil suit can be filed not only against an individual, but also against a third party such as that person's employer, even if the alleged abuser is deceased, potential witnesses are no longer accessible, and/or clear evidence is long gone. Thus, removing a fair and reasonable civil statute of limitations from our judicial system would make it impossible for any organization that cares for children to defend itself in court years later.

Moreover, because the *retroactive portion of the legislation* would apply only to private or non-profit institutions, such as the churches, Boy Scouts and similar organizations, House Bill 1947 unfairly targets such private and religious organizations. It would *not apply to government institutions such as public schools and juvenile facilities*, which are protected from certain lawsuits under a legal doctrine called *sovereign immunity*. As a matter of public record, the vast majority of institutional child abuse cases occur in public schools, yet the bill as currently written would allow lawsuits to be filed retroactively against private institutions, but only prospectively against public institutions. This is both ironic and unjust. In the end, the proposed legislation does nothing to enhance the security of young people today.

***How is the Church in Philadelphia Meeting the Needs of Child Sexual Abuse Victims?***

The Church in Philadelphia has a sincere commitment to care for the emotional and spiritual well-being of individuals who have been impacted by the crime of childhood sexual abuse, no matter how long ago the crime was committed. The Church accepts its responsibility for the abuse that occurred in the past and will continue to support survivors as long as necessary. The archdiocese is committed to the goal of protecting children and ending child sexual abuse by aggressively responding to allegations of sexual abuse; by carefully screening clergy, employees and volunteers; and by educating adults and children about the signs of abuse. All of us are called to pray for the healing and recovery of those who have survived the traumatic experience of childhood sexual abuse.

**To learn more about House Bill 1947 and to keep up-to-date on the legislative process, visit the PA Catholic Conference website at [www.pacatholic.org](http://www.pacatholic.org).**