

Testimony to the RI House Judiciary Committee in Support of H7409

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Dear Honorable Members of the House Committee on the Judiciary,

Thank you for allowing me to submit testimony in support of H7409, which will eliminate the civil statutes of limitation for child sexual abuse, both retroactively and for the future.

Every once in a while, legislation occurs that future generations point to as transformative. H7409 would be such a law. It would transform Rhode Island from a state that shields perpetrators and complicit institutions to one that prioritizes child protection.

H7409 would hold accountable both child molesters and the employers who fail to stop them.

I am co-director of BishopAccountability.org, an independent non-profit based in Waltham, Massachusetts. We're among the world's leading researchers into the sex abuse crisis in the Catholic Church. We track and document more than 8,000 clergy abuse cases in all 50 states and worldwide.

I want to briefly address the ongoing cover-up of child sexual abuse in the Catholic diocese of Providence, which we have been monitoring since 2003.

You may have heard the news last month about Father Frances Santilli, who was kept in ministry by Bishop Tobin for ten years after the diocese first learned of his alleged crimes. The Santilli case is not unique.

My colleagues and I long been alarmed by the information blackout in Rhode Island around clergy sexual abuse – a blackout caused by the state's historically restrictive civil statute of limitations.

The single most effective way to get institutions to disclose information about abuse allegations, and to adopt safer practices, is through civil action.

In many states, thanks to laws that give past victims access to civil courts, Catholic bishops have been forced to release thousands of pages of abuse files.

Bishop Tobin has released no files.

Because of the state's historically victim-hostile SOL, the diocese has been legally impenetrable, operating with the arrogance and impunity we saw in the Boston archdiocese in the 1990s.

One measure of this impunity: the diocese's demeaning response to victims who take the difficult and courageous step of reporting abuse. Victims are often subjected to polygraph tests and pressured to reveal their medications and mental health histories.

H 7409 would address this extreme power imbalance.

Imagine that Bishop Tobin was compelled to disclose information in the way that the Boston archdiocese and many other institutions have. What might we learn?

Plenty. Fifteen years ago, Bishop Tobin was compelled to admit in a court filing that 125 Providence priests were accused of child sexual abuse in a 35-year period, between 1971 and 2006.

[Sources: http://www.bishop-accountability.org/docs/providence/2007_01_09_Young_v_Gelineau_Tobin_Petition_Certiorari/Tobin_01.htm; http://www.bishop-accountability.org/news2007/09_10/2007_10_20_Paulson_NewRI.htm]

For a diocese so small, 125 accused clerics is a staggering total. It means that since 1950, more than 10% of its 1,200 active clerics have been accused of sexual misconduct with minors.

Who are these 125 clerics? Where are they now? And how have Tobin and his predecessors handled complaints over the years?

In July 2019, Bishop Tobin finally released a list of credibly accused clerics, after more than 150 of his fellow bishops nationwide already had done so. [Source: <https://dioceseofprovidence.org/list-of-credibly-accused-clergy>]

Disturbingly, the diocesan list was uninformative and incomplete. It names only 54 clerics, and it reveals nothing about the nature of the allegations against them.

Assuming Tobin's 2007 admission of 125 accused clerics was truthful, this means that at least 71 possible child molesters in the Providence diocese have not been identified to the public.

And what about the priests who were accused before 1971 and since 2006? How many have been accused in these periods, who are they, and where are they now?

The names of credibly accused priests is not information that belongs to Bishop Tobin, even if the statute of limitations have long expired. It belongs to law enforcement and to the public: to parents, to the lay Catholics of this state, and to the accused clerics' current neighbors and employers.

From my perspective, as an expert on data about accused Catholic priests, I believe that Rhode Island's current statutes of limitations is causing a hidden public safety crisis. Not only in the diocese, but in other religious and secular institutions involved with the care of children.

The fastest and most cost-effective way to begin to address this crisis is to lift the civil statute of limitations as stipulated in H 7409.

The bill will do great good. It will produce information the public deserves to know. It will publicly identify perpetrators and compel employers to enact stronger child protection policies. It will equip mothers and fathers to protect their children, and lead to stronger, more responsible institutions in Rhode Island.

Thank you for giving me this opportunity.

[Founded in 2003, BishopAccountability.org maintains the world's largest public archive of documents on clergy sexual abuse. We conduct research on child abuse by priests and religious and on the management of those cases by bishops and their staffs, superiors of religious orders, and the Holy See. An independent non-profit based in Waltham, Massachusetts, BishopAccountability.org is not a victims' advocacy group and is not affiliated with any church, reform, or victims' organization.]