



Testimony Opposing House Bill No. 5909
The R.I. House Committee on the Judiciary
April 29, 2025

Dear Chairman Craven and Honorable Committee Members:

The Rhode Island Catholic Conference is the public policy representative of the Diocese of Providence, which encompasses nearly 600,000 Catholics statewide, their parishes, schools, and numerous charities, which combine to form our state's second-largest social service provider network, behind only our state government. Thousands of Rhode Islanders of all faiths and no faith daily benefit from the Catholic Church's charitable works. Additionally, the Diocese of Providence is a top employer in the state, with over 2,600 employees working in our parishes, schools, offices, and charitable agencies.

The Diocese of Providence has a lengthy, concrete record of working tirelessly for decades to ensure that the Church is safe for children and youth, reaching out to victims of abuse and their families with resources for healing, and continuing our efforts for justice in ways that are consistent with our continued mission and the pastoral ministry of the Church. The Church has a sincere commitment to the emotional and spiritual well-being of individuals whom the crime of childhood sexual abuse has impacted, no matter how long ago the crime occurred.

We accept our responsibility for the abuse that occurred within our ranks and will support survivors as long as necessary. The Diocese has paid over \$20 million dollars in legal settlements to victims of clergy sex abuse. It has provided over \$2.5 million dollars for direct financial assistance for victims' counseling and continues to provide such assistance. Programs are in place that continue to reach out to victims and their families and provide the resources for healing.

The Diocese is also committed to the goal of protecting children and ending child sexual abuse by aggressively and promptly responding to allegations of sexual abuse, carefully screening clergy, employees, and volunteers, and educating adults and children about the signs of abuse and how to report that abuse to civil authorities. The Diocese of Providence has implemented programs and policies to prevent harm for decades. It continues to work vigilantly to ensure our Church is safe for everyone, especially children and youth.

Since 1993, the Diocese has established an Office of Compliance to oversee our efforts in child protection. Mr. Kevin O'Brien, a former Rhode Island State Police major, is the current Director of Compliance. In an op-ed in the Providence Journal, he stated, "These policies and procedures have produced significant and positive results. But this is not to say that we are complacent with our effort, or that bad people still can't do bad things. However, significant and measurable progress has been made, as evidenced by statistics showing that the overwhelming majority of claims are from behavior many decades ago." ("Church in R.I. has long fought abuse, Kevin O'Brien, the Providence Journal, August 25, 2018)



The Office of Compliance continues to educate all diocesan employees, clergy, religious, and lay volunteers at every level and ministry about child protection, from holding Safe Environment Trainings to requiring mandatory background checks for those who work with children. The Office of Compliance also impartially investigates each complaint received.

The Diocese of Providence also established a Diocesan Child Protection Advisory Board. The Board functions as a confidential consultative body to the Bishop in assessing allegations of sexual abuse of minors and determining a cleric's suitability for ministry as necessary. Comprised of both Catholic and non-Catholic members, the majority of the board members are professional lay persons not employed by the Diocese.

The late Dennis J. Roberts II, former Attorney General of Rhode Island, served as a Chair of the Board. He stated: "The people of the State of Rhode Island and, for that matter, Catholics, and non-Catholics together, may be assured that the Diocese of Providence there has been a thorough, zealous and ongoing following of this problem since it was first discovered." (Dennis I. Roberts II, "Diocese has pursued justice zealously," The Providence Journal, February 11, 2019.)

Addressing this issue has not been motivated by threats of civil lawsuits, which drain resources from other important ministries. We have confronted this issue because it is the right thing to do. The Rhode Island Catholic Conference, however, expresses our deep concern for the proposed legislation, which complicates and impedes the administration of justice and does little to protect victims.

A basic principle of American law, statutes of limitations ensure fairness in our legal system by requiring lawsuits to be filed promptly. Without them, non-profits and Churches could face lawsuits alleging abuse from many decades ago. It is nearly impossible for an institution that did not commit the abuse to defend against a lawsuit from thirty, forty, fifty, or sixty years past because, over time, witnesses' memories become unreliable, evidence is lost or never found, and in many instances, perpetrators or witnesses may be deceased.

Civil cases have a much lower burden of proof than criminal law cases. An alleged abuser may not even be alive, but a third party, like his or her employer, could be sued even after the perpetrator, witnesses, or clear evidence is long gone. Removing this long-standing fairness from our judicial system would make it impossible for any organization that cares for children to defend itself in court many years later.

House Bill 5909 would remove and undermine all the principles cited by the late R.I. Supreme Court Chief Justice Joseph Weisberger and other courts throughout the nation, including the United States Supreme Court, which undergird good and fair legal systems. Moreover, it is difficult to conceive of a more complete repudiation of the prevailing principles of statutes of limitations than the retroactive authorization of claims that have been barred for decades, which is what this Bill proposes. The proposal is so extreme that it is not surprising that courts have already concluded that such an application would be violative of constitutional due process.



Over the past five years, four states have struck down similar legislation attempting to revive time-barred childhood sexual abuse claims, including Maine, Colorado, Kentucky, and Utah. California Governor Gavin Newsom last year vetoed similar legislation stating: “Statutes of limitations recognize that, as time passes, physical and documentary evidence may be lost and witnesses may die, no longer remember key facts, or otherwise no longer be available to testify, potentially prejudicing the ability of a party to present its case in court.” (Now That the Focus Isn’t on the Catholic Church, Newsom Opposes Easing the Statute of Limitations for Sexual Abuse, March 21, 2025, National Catholic Register)

A report titled “Childhood Sexual Assault: Implications for California Public Agencies,” released January 31 by the State of California Fiscal Crisis and Management Assistance Team (FCMAT), indicated that some state school districts are now facing “catastrophic fiscal consequences as a result of uninsured AB 218 revival claims.” The report estimates the overall dollar value of claims filed to date against school districts at between \$2 and \$3 billion.

The New York Times recently reported that the Los Angeles County has agreed to pay “\$4 billion to settle sex abuse claims from generations of children in its juvenile detention and foster care systems in what lawyers said would be the largest payout of its kind in U.S. history.” (Los Angeles County Plans to Pay \$4 Billion to Settle Sex Abuse Claims, New York Times April 4, 2025)

Likewise In Maryland where legislation similar to H. 5909 was passed last year it has been estimated that the State of Maryland is facing a potential liability between \$3 billion and \$4 billion. (Thousands allege sexual abuse in youth detention centers. It could cost Maryland a huge sum, The Associated Press, March 21, 2025). H. 5909 is also likely to result in numerous lawsuits against the State of Rhode Island, its cities and towns, and school districts placing serious financial stress on state and local finances.

The funds needed to settle the lawsuits will inevitably come from the Diocese and the parishes utilized for charitable ministry and care for the people of Rhode Island. In other states, retroactive changes to the law resulted in dioceses declaring bankruptcy and placing parishes, schools, and charitable ministries at risk. In short, this legislation will severely undermine the Catholic community's ministries in Rhode Island and is likely to result in lost jobs and impaired programs and services to the poor and needy.

The most obvious practical result of bills such as this is to generate lawsuits against the Church and millions of dollars in legal fees for plaintiffs' attorneys. The proposed retroactive change in the law does nothing to enhance the security of young people today.



As noted in a Wall Street Journal editorial on the effect of such lawsuits upon the Boy Scouts of America, "Insurer court filings note that when BSA filed for bankruptcy, it was a defendant in 275 cases and had been notified of a potential 1,400 more. BSA now faces 95,000 claims. Behind this assault is a sophisticated new tort machine that leverages Wall Street litigation funding, third-party brokers to collect and commoditize claims, and sweeping online marketing that recruits and coaches claimants. This is the new mass tort industry."

In the 2019 legislative session, amid extensive public debate and publicity, the R.I. Catholic Conference supported the passage of legislation in recognition that minor victims may need extra time to initiate litigation. Ultimately, the General Assembly enacted an unprecedented and exceptionally long, prospective 35-year statute of limitations for civil litigation concerning child sexual abuse along with a 7-year discovery rule in recognition that minor victims may need extra time to initiate litigation.

The Senate and House Leadership lauded the bill's passage at that time. House Judiciary Committee Chairman Robert Craven stated: "This brings justice to people who deserve it." ("R.I. General Assembly passes bill to extend sex-abuse statute of limitations," Kathy Gregg, The Providence Journal, June 26, 2019). At a bill signing ceremony in August 2019, then-Governor Gina Raimondo and the bill's sponsors praised the legislation. ("Sex-abuse survivors celebrate bill signing," Brian Amaral, The Providence Journal, August 5, 2019).

Five years later, House Bill No. 5909 proposes to eviscerate all statutes of limitation – prospectively and retroactively. Esteemed former Rhode Island Chief Justice Joseph Weisberger best summed up the balancing of an individual's right to seek redress, the need for a defendant to be allowed a fair defense, and for courts and society to have finality: "The right to be free of stale claims in time comes to prevail over the right to prosecute them." *Anthony v. Abbott Laboratories*, 490 A.2d 43, 49 (R.I. 1985); see also *Farris v. Compton*, 652 A.2d 49, 57 (D.C. 1994) ("Because time erases evidence, it becomes at some juncture fundamentally unfair to require a defendant to respond to allegations so stale that he cannot possibly marshal an effective defense to them.").

House Bill No. 5909 would remove and undermine all the legal principles that promote fairness and equity cited by Chief Justice Joseph Weisberger and other courts throughout the nation, including the United States Supreme Court. Moreover, it is difficult to conceive of a more complete repudiation of the prevailing principles of statutes of limitations than the retroactive authorization of claims that have been barred for decades, which is what House Bill No. 5909 proposes. It comes as little surprise that courts have already concluded that such extreme measures would violate constitutional due process.



Statutes of limitations are designed to enable claims to be investigated and decided fairly while facts are fresh, memories are vivid, and relevant evidence is still available. Limitation periods also guarantee that judges and juries will not be so far removed from circumstances surrounding a case that they cannot interpret the evidence considering those circumstances. They also ensure that false and misrepresented claims do not advance (see attached "Looting the Boy Scouts: The mass tort industry gins up thousands of dubious claims," Wall Street Journal, March 3, 2021).

Statutes of limitations promote fairness and closure by preventing stale claims in which evidence is lost, memories change, and witnesses disappear; encouraging plaintiffs to assert claims promptly; guarding against false claims; carrying out a strong public policy interest in promoting closure, allowing defendants an ability to plan for the future without uncertainty inherent in potential liability, and ensuring that contemporary standards will not judge long-past actions.

For these reasons, the Rhode Island Catholic Conference opposes House Bill No. 5909.

The Reverend Bernard A. Healey

Director

bhealey@dpvd.org

PROVIDENCE Journal

Opinion

My Turn: Dennis J. Roberts II: Diocese has pursued justice zealously

By Dennis J. Roberts II

Posted Feb 11, 2019 at 11:00 PM

During my third term as Rhode Island's attorney general, I was presented with evidence that P. Henry Leech, then a diocesan priest, had abused teenaged boys. As a Catholic, I was incredulous. How could anyone — never mind a priest — do such a thing? The facts, however, were compelling and our office dutifully investigated and charged Leech, who was eventually convicted and incarcerated.

What I remember most vividly about the Leech matter was my interaction with the local hierarchy. Even for a seasoned prosecutor, I felt an uneasy discomfort over my upcoming meeting with Bishop Louis Gelineau. Those concerns were immediately put to rest as the bishop and his assistants were forthcoming, transparent and helpful in pursuing the indictment. Our objectives aligned in favor of justice and the pursuit of truth. Our office had all the support it needed.

Later, similar cases were brought and I observed the Diocese of Providence take meaningful steps to address a burgeoning crisis. In 1993, nearly a decade before The Boston Globe's Spotlight series earned its Pulitzer Prize, the Diocese of Providence was actively establishing sound, groundbreaking practices.

A former Massachusetts state police lieutenant was hired to investigate abuse allegations, report them, and to devise protection policies for parishes and schools. Bishop Robert Mulvey established a review board to assist in assessing allegations of sexual abuse. Colonel Edmond Culhane of the Rhode Island State Police and I became original, founding members along with men and women of different faiths and expertise.

I have been the chairman of the review board since 2002. Over several decades many distinguished lay people have served this board including the former Rhode Island child advocate, the former director of the Department of Children,

Youth and Families, retired state police, members of our judiciary and leaders of other religious denominations. Any allegation credibly established by this review board — regardless of when it occurred — results in permanent removal from ministry.

Bishop Thomas Tobin has removed five priests during his episcopacy. Sustained by this important work, I have remained a member of the review board since inception.

The work of the review board, however, is not completed in a vacuum. In a practice in place for decades, every abuse allegation received — regardless of credibility — is promptly and fully reported to law enforcement so police can undertake independent investigations, make objective judgments and pursue crimes. Now, allegations are simultaneously delivered to the attorney general's office as well.

It is important to note that this transparency is voluntary. Moreover, these long-standing policies and procedures have worked. The vast majority of allegations received pertain to behavior occurring many decades ago.

Recent national and international events, however, distort — and in some instances, ignore — the crisis history and the demonstrated and effective responses of our diocese. For someone who has spent his life supporting the rule of law and enforcing it with justice for all, including the victims, it is disturbing to see the work of myself and the members of the Board and the Diocese being mischaracterized by a few.

The people of the State of Rhode Island and, for that matter, Catholics and non-Catholics together, may be assured that in the Diocese of Providence there has been a thorough, zealous and ongoing following of this problem since it was first discovered.

Fortunately, in recent years the incidences seem to have reduced. However, wherever they appear, they will be vigorously followed and dealt with.

Dennis J. Roberts II served as the Rhode Island attorney general for three terms, from 1979 to 1985.

PROVIDENCE Journal

Opinion

My Turn: Kevin O'Brien: Church in R.I. has long fought abuse

Posted Aug 25, 2018 at 3:00 PM

Let's acknowledge the irrefutable: Child abuse is insidious and arises from circumstances that repel the sympathy and understanding of all. The recent grand jury report from Pennsylvania has reopened the wound and the history of the Catholic church's role in this crisis.

However, in examining any situation, it's important to be fair and accurate. The recent and justifiable anger has clouded civil discourse and distorted local history. Any reasonable, factual examination will yield a conclusion that, while Rhode Island has experienced its own well-documented abuse crisis (widely reported in this newspaper), in the decades since that period our diocese has implemented strong and effective methods to confront the problem. In sum, Rhode Island is not Pennsylvania.

As the director of the Diocesan Office of Compliance, and a 23-year veteran of the Rhode Island State Police, I have as good a view as any of our diocese's response to this crisis.

Nearly 10 years before the U.S. Conference of Catholic Bishops' adoption, in 2002, of a formalized Charter for the Protection of Children, the Diocese of Providence was already taking steps on the crisis. In 1993, it took the unprecedented step of establishing my office, and hired a trained law enforcement investigator and former lieutenant of the Massachusetts State Police to run it.

For the past quarter-century, this office has vigorously, tenaciously and transparently conducted investigations, background checks and training to protect all within our care. Moreover, we are always improving our procedures. These efforts are not widely understood by the public because they receive scant attention.

For two decades, every allegation received by my office, regardless of credibility, has been promptly and fully reported to law enforcement. This cooperative approach allows the police complete freedom and independence to conduct an objective investigation, and to convict and punish criminals.

Independently, our Advisory Board — which has included a former Rhode Island attorney general, a former major in the state police, a former R.I. child advocate and a former director of the state Department of Children, Youth and Families — assesses cases and makes recommendations to the bishop regarding an accused person's suitability for ministry. Any allegation credibly established — regardless of when it occurred — results in permanent removal from ministry.

There is also much activity to prevent abuse. More stringent procedures have been implemented for seminarian selection. My office annually conducts over 4,000 Bureau of Criminal Investigation Checks, as well as Safe Environment Training Programs for everyone who has regular conduct with children. These are renewed every three years.

Finally, we are always looking to improve and implement best practices. In 2016, following the events at a private, non-Catholic school, we worked voluntarily with the state attorney general to establish formalized reporting protocols and more supplemental transparency, which exceeds the requirements set forth in the Rhode Island General Laws.

These policies and procedures have produced significant and positive results. But this is not to say that we are complacent with our effort, or that bad people still can't do bad things. However, significant and measurable progress has been made, as evidenced by statistics showing that the overwhelming majority of claims are from behavior many decades ago.

I spent over 20 years proudly serving as a member of the Rhode Island State Police. When I signed on as the director of the Diocesan Office of Compliance, I knew the history of the abuse crisis. Because of my work as a detective commander, I was cognizant of the dependable and trustworthy reputation established by the Office of Compliance since 1993.

In large measure, sustaining, advancing and improving its tradition was the most attractive feature of this job. Now, and in the future, we all need to strengthen our resolve to protect children. Yet we also need to push back on any narrative or notion that Rhode Island is Pennsylvania — for that ignores the tremendous efforts of many to address the ills of the past.

Kevin O'Brien is the director of compliance for the Diocese of Providence and a former major in the Rhode Island State Police.

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our Subscriber Agreement and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit www.djreprints.com.

<https://www.wsj.com/articles/looting-the-boy-scouts-11614728612>

OPINIONREVIEW & OUTLOOK

Looting the Boy Scouts

The mass tort industry gins up thousands of dubious claims.

rial Board

4:43 pm ET



A statue stands outside the Boy Scouts of America headquarters in Irving, Texas.

PHOTO: LM OTERO/ASSOCIATED PRESS

The plaintiff bar long ago turned mass torts into a business model, but never underestimate legal creativity. The attempted looting of the Boy Scouts of America is highlighting the need for tort reform in a modern era of social media and lawsuit marketing.

The Boy Scouts filed for bankruptcy a year ago amid what it acknowledges are legitimate claims of sexual abuse by some scout leaders. BSA and its insurers have been working in good faith to settle those claims. Which is why insurers owned by Chubb Ltd. and Hartford Financial Services are asking U.S. bankruptcy Judge Laurie Selber Silverstein to allow discovery into the methods of plaintiff lawyers who produced a 55-fold increase in new claims in less than a year.

You read that right. Insurer court filings note that when BSA filed for bankruptcy, it was a defendant in 275 cases and had been notified of a potential 1,400 more. BSA now faces 95,000 claims. Behind this assault is a sophisticated new tort machine that leverages Wall Street litigation funding, third-party brokers to collect and commoditize claims, and sweeping online marketing that recruits and coaches claimants. This is the new mass tort industry.

The insurer filings point to the Coalition of Abused Scouts for Justice, an ad hoc group of mass plaintiffs. In one June 2020 email presented to the court, a coalition founder explained that the “strategy” is to “keep focused on our marketing and media efforts,” so that “we control 80% of the claims[.] I.e. our coalition controls the case.” It did force its way in, filing 60% of all the claims in “mass filings just days before” the Nov. 16, 2020 cutoff.

Potential plaintiffs were encouraged via marketing on YouTube, social media and text message blasts. Insurers say the groups also “ran thousands of television, radio and internet advertisements that were riddled with falsehoods.”

These included “untrue statements” that claims could be filed “anonymously,” that the Boy Scouts had set up a \$1.5 billion fund for payouts, that compensation was “ensured,” and that claimants wouldn’t have to appear in court, say the insurer filings. The ads were so deceptive that Judge Silverstein in September ordered the lawyers to stop running “false and misleading” information.

The lawyers also hired claims aggregators, which are private companies that employ call centers and advertising to produce claims. These processors “either sell the claims they generate or work on contract,” say the court filings. Plaintiff attorneys used hedge-fund money to buy claims, with the financiers “securing” their investment with “recoveries from the [Scouts] litigation,” the filings say.

The insurers have provided forensic evidence to the court showing that the attorneys likely didn’t even read what they filed. One plaintiff coalition attorney allegedly signed 890 “proof of claims” in a single day—one every 32 seconds, assuming eight hours. Another looks to have signed nearly 800 blank forms, allowing others to fill them in later.

It’s no wonder that a preliminary investigation by two insurers found that 11,676 claims appear to be duplicates. More than 7,000 do not identify a perpetrator. Some 4,700 do not identify any affiliation with scouting. More than 1,500 have already been the subject of litigation. And 54,000 look to be time-barred. Thousands more were signed by only a lawyer, not a claimant. A review of public information also found claimants who had been convicted of tax fraud, forgery, identity theft, false insurance claims, and child molestation.

The insurers are asking for discovery into a sample of the claimants, as well as into the methods used by 15 of the most prolific plaintiff attorneys. Judge Silverstein held a hearing last month, and this should be an easy call.

Bankruptcy law provides for discovery, and fairness demands it. A payout for fraudulent claims would reduce funds for legitimate victims. Notably, the original law firms appointed by the bankruptcy trustee to protect the interests of victims aren’t opposed to discovery into the tort coalition’s claims.

The tort bar is using these tools of mass torts in many cases, (see the opioid or Roundup chemical litigation), but the Boy Scouts' case is the first based on sexual claims. Judge Silverstein has an opportunity to stop these abusive tactics in this case—and deter them in the future—by exposing them to legal and public scrutiny.

Appeared in the March 3, 2021, print edition as 'Looting the Boy Scouts'.

Maine supreme court strikes down law that allowed civil lawsuits for decades-old sexual abuse claims

Maine Public | By Patty Wight

Published January 28, 2025 at 6:08 PM EST

FILE photo- In this Thursday, April 12, 2018, photo, justices sit during a hearing in the Maine Supreme Judicial Court in Portland, Maine.

Maine's Supreme Judicial Court struck down a recent state law that had eliminated the statute of limitations on civil lawsuits alleging child sexual abuse.

The Roman Catholic Bishop of Maine challenged the law after it was sued by dozens of adults who claimed they were abused by clergy members.

By removing the statute of limitations, the 2021 law opened the door to civil lawsuits for child sexual abuse no matter how long ago the alleged abuse occurred.

But the state's highest court said Tuesday that once a statute of limitations has expired for a claim, that claim can't be revived. And therefore, the court found that Maine's law is unconstitutional.

Jessica Gorton of the Maine Coalition Against Sexual Assault calls the decision heartbreaking for the people trying to hold their abusers accountable.

"They relived some of their most traumatic experiences, and then they were told that legal precedence protecting powerful people is more important than holding those people responsible for the harm they caused," she said.

Gorton also said the decision is out of step with other court decisions. That's one reason cited by two justices who dissented from the majority opinion. They also noted that it often takes survivors of child sexual abuse decades to disclose what happened.

State Democratic Senator Joe Baldacci, who sponsored a separate law in 2023 that allows victims of child sexual abuse to pursue both civil and criminal lawsuits at any time moving forward, said he's also disappointed by the decision.

"I think we're going to have to come back with some new legislation that tries to address some of their concerns," he said. "But we certainly need to do whatever we can to prosecute these cases and to get some justice for the victims."

Michael Bigos, an attorney with Berman & Simmons, which represents nearly 100 people affected by the ruling, said he'll now pursue other potential lawsuits related to what he alleges are decades of cover-ups by the church.

In a written statement, Portland Bishop James Ruggieri acknowledged the impact that past abuse has had on survivors' lives.

He said the diocese has investigated sexual abuse claims for more than 30 years, and it "will continue to dedicate resources to examining every claim regardless of the timeline and providing counseling and support services to those who have come forward."

Now That the Focus Isn't on the Catholic Church, Newsom Opposes Easing the Statute of Limitations for Sexual Abuse

In contrast to his stance in 2019 with respect to legislation that opened a three-year window for filing historical sexual-abuse lawsuits, the California governor vetoed a similar recent bill.

Tom McFeely

Nation

March 21, 2025

California Gov. Gavin Newsom was notably unsympathetic to arguments articulated in 2019 by the state's Catholic leaders against state bill A.B. 218, which opened a three-year statute-of-limitations window in January 2020 to facilitate civil lawsuits for decades-old allegations of sexual abuse.

But when a similar bill was passed last year by the California Legislature, opening a shorter one-year window for lawsuits filed by persons who allege they were sexually abused in the state's juvenile facilities, Newsom vetoed the legislation — citing arguments very similar to the ones that Church leaders unsuccessfully articulated against A.B. 218's application to Catholic institutions.

The 2024 bill was prompted by the substantial number of lawsuits that were filed against juvenile facilities during the last three-year window, the Los Angeles Times reported, and would have allowed additional victims to sue for compensation for sexual abuse that occurred a substantial number of years earlier at juvenile detention facilities and probation camps.

Such older claims are largely excluded from the permanent legal framework mandated for sexual-abuse lawsuits by A.B. 218. Its provisions allow victims to sue only until they turn 40, or within five years of learning of a mental-health issue associated with their sexual abuse.

According to a letter explaining his opposition to opening a new statute-of-limitations window, Newsom said he vetoed the 2024 bill because “I am concerned that again reviving the statute of limitations for these individuals, even for one year, will invite future legislation seeking to revive claims for other affected groups, both in the immediate future and in the years beyond. Statutes of limitations recognize that, as time passes, physical and documentary evidence may be lost and witnesses may die, no longer remember key facts, or otherwise no longer be available to testify, potentially prejudicing the ability of a party to present its case in court.”

Newsom said that “having recently provided a three-year window for all victims of past abuse to bring claims, I am concerned that immediately reopening the claims period establishes a precedent for perpetually reopening claims periods for claims well in the past, for which key evidence may have been lost or no longer available.”

However, Newsom's justification for his veto closely parallels the central arguments articulated by the bishops of California when A.B. 218 was debated and passed by the state Legislature in 2019. They objected it was unfair to allow a new round of claims against Catholic institutions because they had already been subject to a similar process in 2002.

Nine California dioceses and archdioceses restated these objections in 2022, during their protracted and ultimately unsuccessful court challenge against A.B. 218. Describing it as "an unconstitutional double-revival regime," the dioceses stressed that they had already engaged with the one-year statute-of-limitations window initiated in 2002. According to the dioceses, that process generated more than 1,000 lawsuits against Catholic institutions dating back to as early as the 1930s, and it resulted in "a series of settlements that paid out over a billion dollars without regard to the validity of any individual claim."

The dioceses also noted that after the 2002 window closed, the state tried three other times to create another window to allow more lapsed claims to proceed against Catholic institutions. But unlike Newsom in 2019, then-California Gov. Jerry Brown vetoed all three bills, describing the legislation he vetoed in 2013 as "too open-ended and unfair."

Costly Financial Burden

Newsom's 2024 veto appears directly linked to the massive financial costs now being incurred by public institutions, as a result of sexual-abuse claims filed recently against local governments and school boards.

Los Angeles County is one of the hardest-hit entities. A record number of 2,765 lawsuits were filed against the county last year, the Los Angeles Times reported Feb. 6, "with spending on outside attorneys ballooning to defend against a deluge of child sex abuse claims."

Almost half of the claims were filed against the county's Department of Children and Family Services and its probation and sheriffs departments, which "have been hit with thousands of lawsuits in recent years alleging that children were sexually abused in foster homes and at probation facilities and a former children's shelter."

In a March 4 letter, Los Angeles County Chief Executive Fesia Davenport cited the flood of sexual-abuse lawsuits stemming from A.B. 218 as one of the chief factors that have placed "enormous pressure" on the county's \$45-billion budget. Warning "the situation could devolve into a fiscal crisis," Davenport's letter recommended the county institute a hiring freeze and a freeze on non-essential services and purchases.

California's public schools are also reeling from the financial fallout of the sexual-abuse claims filed against them during the three-year window.

According to a report titled “Childhood Sexual Assault: Implications for California Public Agencies,” released Jan. 31 by the state’s Fiscal Crisis and Management Assistance Team (FCMAT), some state school districts are now facing “catastrophic fiscal consequences as a result of uninsured AB 218 revival claims.” According to the report, the state’s public-school system as a whole “will survive the challenge presented by the claims of childhood sexual assault. But individual school districts, charter schools and other agencies may not.”

The report, which did not name specific school districts or schools that might not be able to withstand the financial burden stemming from abuse settlements, estimates the overall dollar value of claims filed to date against school districts at between \$2 and \$3 billion.

As well as having to pay for uninsured claims, school districts and schools now also face the burden of insurance premiums that have skyrocketed by more than 700% over the last decade.

A Feb. 10 article published by EdSource.org reported that when A.B. 218 was under consideration, many legislators were dismissive of the potentially devastating consequences for school districts because they mistakenly believed insurance companies would be required to foot the bill for all of the settlements.

“We have called upon the state to develop a safety net to defray costs that threaten school districts with insolvency,” Troy Flint, chief of communications for the California School Boards Association, told EdSource. “FCMAT’s report is another opportunity to reiterate this request.”

Catholic Situation

California’s 12 archdioceses and dioceses are also struggling with the negative financial impact of the deluge of claims filed during A.B. 218’s three-year window.

In November, the Diocese of Oakland announced it would pay up to \$200 million to settle approximately 345 claims. The diocese had previously filed for bankruptcy protection in May 2023, due to the lawsuits.

A month earlier in October, the Archdiocese of Los Angeles announced an even larger \$880-million settlement of 1,353 claims filed during the A.B. 218 window, following a one-year mediation process overseen by retired California Judge Daniel Buckley.

Along with the Diocese of Oakland, the Archdiocese of San Francisco and the Dioceses of Santa Rosa, Sacramento and San Diego have filed for bankruptcy as a direct consequence of A.B. 218. Additionally, the Diocese of Fresno is planning to file for bankruptcy, and the Diocese of Monterey is considering doing so.

But while Church leaders objected strenuously before and during the A.B. 218 process that the inclusion of Catholic institutions was fundamentally unfair in light of their earlier actions to compensate the victims of historical sexual abuse, in its wake they have prioritized the plight of victims.

“I am sorry for every one of these incidents, from the bottom of my heart,” Archbishop José Gomez of Los Angeles said in a letter he released at the time of the October 2024 sexual-abuse settlements. “My hope is that this settlement will provide some measure of healing for what these men and women have suffered.”

Said the archbishop, “Through a process of active mediation, I believe we have come to a resolution of these claims that will provide just compensation to the survivor-victims while also allowing the Archdiocese to continue to carry out our ministries to the faithful and our social programs serving the poor and vulnerable in our communities.”

Tom McFeely Tom McFeely is the Register’s news editor.

Los Angeles County Plans to Pay \$4 Billion to Settle Sex Abuse Claims

The settlement, which still needs formal approval, covers more than 6,800 claims of abuse, some of which date back to 1959.

April 4, 2025

Los Angeles County has agreed to pay a staggering \$4 billion to settle sex abuse claims from generations of children in its juvenile detention and foster care systems in what lawyers said would be the largest payout of its kind in U.S. history.

The sweeping agreement, announced Friday, was the latest in a wave of settlements precipitated by a five-year-old state law that dramatically expanded the number of child sexual abuse lawsuits filed against municipalities and school districts.

The settlement is expected to be formally approved over the next two weeks by the Los Angeles County Board of Supervisors and the county's claims board, covering more than 6,800 claims of childhood sexual abuse that date as far back as 1959. County officials have warned that the amount of the settlement will likely lead to budget cuts.

Most of the cases stem from abuse allegations that occurred in the 1980s, 1990s and 2000s at probation and foster care facilities, county officials said. A significant number took place at the MacLaren Children's Center, a county-run children's shelter that operated for 42 years east of downtown Los Angeles in the city of El Monte.

Opened in 1961 as a temporary foster home, MacLaren permanently closed in 2003 amid lawsuits that claimed severe mistreatment of children. A civil grand jury report at the time found that MacLaren managers had allowed convicted burglars and drug traffickers to care for children and had not checked the criminal background of employees for decades. In subsequent lawsuits, former residents said staff members had crawled into their bunks at night and sexually assaulted them, punishing them if they reported the abuses. Some said they had been as young as 5 at the time.

"On behalf of the county, I apologize wholeheartedly to everyone who was harmed by these reprehensible acts," the county's chief executive, Fesia Davenport, said in a statement on Friday. "The historic scope of this settlement makes clear that we are committed to helping the survivors recover and rebuild their lives — and to making and enforcing the systemic changes needed to keep young people safe."

The proposed payout eclipses the \$2.4 billion plan to settle lawsuits brought against the Boy Scouts of America by more than 80,000 plaintiffs. And it far exceeds the \$1.5 billion in cumulative payouts made by the Archdiocese of Los Angeles for allegations of abuse of children by clergy and the \$1.1 billion paid by the University of Southern California to the hundreds of patients who said they had been abused by George Tyndall, who was a longtime gynecologist there.

The settlement arises from a change in California law that widened both the liability of public institutions for sexual abuse by employees and the window for victims to file lawsuits. Assembly Bill 218 extended the age limit to 40 for child sexual abuse claims and opened a three-year window for people to sue for charges dating back decades.

As that window closed in late 2022, municipalities, school districts and other public institutions in California were slammed by a crush of lawsuits that have since generated multimillion-dollar payouts. In 2023, a \$135 million jury verdict in a molestation case involving a middle school teacher in Riverside County left one school district with a judgment totaling \$121.5 million. Last year, the Los Angeles Unified School District agreed to pay \$24 million to former students who claimed they were sexually abused in 2006 and 2007 by a teacher at their elementary school.

In a January report, the Fiscal Crisis and Management Assistance Team, which helps California schools manage their finances, estimated that the state's public school districts alone are facing some \$3 billion in aggregate costs from "AB 218" lawsuits and warned that the situation could force some districts into receivership.

Officials in Los Angeles County, the state's largest, had warned before the settlement that the lawsuits might bankrupt the county, which has a budget of more than \$45 billion but is currently grappling not only with the current threat of recession but also the cost of recovery from the devastating Los Angeles wildfires.

On Friday, officials said the county would most likely have to make budget cuts, dip into reserves and borrow to pay for the settlement, which will cover most — but not all — of the claims brought against the county under the new law. They added that the bonds the county is seeking to pay for the costs of the settlement not covered by insurance would require annual payments of "hundreds of millions of dollars" that "will have a significant impact on the county's budget for years to come."

Patrick McNicholas, a Los Angeles lawyer whose firm represented 1,200 of the plaintiffs in the case against the county, said in an interview that the parties had negotiated for more than a year and a half to strike a balance to both compensate the victims and leave the county fiscally solvent.

"The number of claimants is huge," he said. "The county is huge. And we had to balance the goal of restorative justice with the county's ability to pay."

Shawn Hubler is based in Sacramento and covers California news, policy trends and personalities. She has been a journalist for more than four decades.

A version of this article appears in print on April 6, 2025, Section A, Page 25 of the New York edition with the headline: L.A. to Pay \$4 Billion to Settle Sex Abuse Cases. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)

Maryland lawmakers pass bill to limit future liabilities amid thousands of claims of sexual abuse

By BRIAN WITTE

Updated 5:26 PM EDT, April 5, 2025

ANNAPOLIS, Md. (AP) — Maryland lawmakers passed a measure Saturday to try to limit future liabilities from claims of sexual abuse at state and private institutions after thousands of people unexpectedly came forward with allegations of abuse, many of them in youth detention centers, putting potentially billions of dollars at stake for the state.

The wave of cases targeting the state's juvenile justice system resulted after Maryland eliminated the statute of limitations for child sexual abuse claims two years ago with the Catholic Church abuse scandal in mind.

The measure, which now goes to Gov. Wes Moore, reduces caps on settlements from \$890,000 to \$400,000 for cases filed after May 31 for state institutions and from \$1.5 million to \$700,000 for private institutions. It also changes the 2023 law to only allow each claimant to receive one payment, instead of being able to collect for each incident of abuse.

In California on Friday, Los Angeles County officials announced they had reached a \$4 billion agreement to settle nearly 7,000 claims of sexual abuse in juvenile facilities since 1959.

The agreement in California, which still needs a county board's approval, far surpasses a \$2.6 billion settlement reached in 2022 with Boy Scouts of America, which recently renamed itself Scouting America. That settlement involved more than 80,000 men who said they were molested as children by scouting leaders and others.

Maryland state Sen. Will Smith, who chairs the Senate Judicial Proceedings Committee, said it has been estimated that Maryland is facing a potential liability between \$3 billion and \$4 billion.

Smith, a Democrat, noted that lawmakers approved the 2023 Child Victims Act in response "to a long fight to have justice for victims of child sex abuse, where our prior framework barred some of those claims if you were above the age of 38."

"But what we could never have anticipated was just the sheer volume of cases that ensued," Smith said.

During debate Saturday, lawmakers said about 1,500 cases already have been filed. In addition, another 4,500 cases are known about, lawmakers said, and attorneys for plaintiffs have been in settlement discussions with Maryland Attorney General Anthony Brown's office.

Sen. Justin Ready, a Republican who is the Senate minority whip, said the state liability could potentially be even higher than the estimate cited by Smith.

“We just spent all session wrestling with a \$3 billion deficit, which is a huge deficit, and we’ve been fighting about that and debating it discussing it ... Just one settlement from this very well could end up being that entire amount, and that is not the end of this,” Ready said.

Sen. Chris West said he doubted the provision in the bill that would limit someone to only sue for one individual case, rather than for each incident of abuse, would survive a court challenge, based on prior rulings by the Maryland Supreme Court.

“If the Supreme Court follows the guidance of prior Supreme Court decisions, they will hold that our attempt to deny people the right to file cases to recover for multiple occurrences is unconstitutional, because those rights for the past two years have been vested,” West, a Republican, said. “The people have had the right to file those cases.”

Smith told reporters on Friday that he believed a settlement “is the optimal solution here.”

“We’re hoping that the attorney general and the plaintiffs can get together and work out a settlement,” Smith said.

Maryland lawmakers passed the Child Victims Act in the immediate aftermath of a scathing investigative report by the attorney general’s office that revealed widespread abuse within the Archdiocese of Baltimore. Before its passage, victims couldn’t sue after they turned 38. The law change prompted the archdiocese to file for bankruptcy to protect its assets.

The Maryland Supreme Court upheld the constitutionality of the law in a 4-3 ruling in February.

The measure approved Saturday also would cap attorneys’ fees at 20% for cases that settle out of court and 25% for cases resolved in court.

The Senate voted 36-7 for the bill on Saturday, and the House voted 92-40 for the bill a short time later, sending the bill to the governor.