

VIA e-mail: HouseJudiciary@rilegislature.gov

ATTN: Roberta DiMezza, Clerk House Judiciary Committee

March 10, 2026

State of Rhode Island Rhode Island State House

82 Smith Street

Providence, RI 02903

**RE: House Bill No. 7200 An Act Relating to Courts and Civil Procedure Amending 9-1-51  
Limitations on actions based on sexual abuse or exploitation of a child**

Dear Chair McEntee and House Judiciary Committee Members:

I write in support of the passage of House Bill 7200. I am a victim of Fr. John Gerard Brendan Smyth during his assignment at Our Lady of Mercy in East Greenwich from 1965-1968.

From the ages of 5 to 12, years 1967-1973, I grew up in East Greenwich and attended Our Lady of Mercy (“OLM”) Catholic school and parish where I was sexually assaulted. The sexual abuse started in the first grade, the fall of 1967, by Fr. Smyth, known to me at the time as “Father Gerry”. I had blocked out Smyth and his crimes until 2005 when I was trying to help my older sister with what I observed were deeply disturbing memories related to our childhood in East Greenwich. My sister died December of 2005 at age 48. I reported to the Diocese of Providence in June of 2006 at age 44. The Diocese provided a letter of apology and paid for my therapy until early 2017, cutting the payment for therapy off claiming that could not continue “into perpetuity”. Well, the trouble is the damaging effects of child sexual abuse last a life time and as hard as I try and as resilient as I may appear on the outside, the effects are still there at age 64.

I have read the Rhode Island Attorney General’s 2026 (AG) report and am both horrified and stunned by the findings of how the Diocese of Providence concealed the sexual abuses of so many children by selectively reporting credibly accused clergy to law enforcement, hiding behind their doctrine of “internal forum”, hiding behind confidentiality and improperly investigating reports of child sexual abuse and grooming while running out the statute of limitations.

The case of Fr. John Gerard Brendan Smyth in Appendix A of the AG report is an egregious example of how the Diocese intentionally concealed early complaints about Smyth going back to the Spring of 1967 and early 1968, even up to 1994/1995 when the Providence Journal and other media contacted the Diocese about Smyth. The Diocese flat out lied that there were “no complaints”, misleading the press and misleading the public and misleading trusting parents who entrusted their children to the Diocese, its parishes and schools. It is this kind of egregious concealment that is so very dangerous and places children in harms way.

If the Diocese opposes House bill 7200 with the claim that they will be forced into bankruptcy, as they argued in the past, then realize that the Diocese of Providence created and

perpetuated the problem, exposing children to pedophiles and even to the point of making false public statements to conceal horrific crimes that happened under their watch. Had they been wise back in the 1960s or 1970s or 1980s, they could have purchased annuities to insure against the anticipated cost of compensating their many victims. I know back in the 1960s my parents were encouraged by the Diocese to take out a life insurance policy on me as a child at OLM to cover burial costs. When the Diocese knew children were being sexually abused they could have long ago planned for the inevitability of having to provide compensation to victims. Instead the Diocese choose to dig in its heels, spending money on lawyers and insurance lobbyists, while continuing to pay salaries and benefits to credibly accused pedophile priests. In opposing legislation like HB 7200 they try to spin it as if it will hurt the Diocese financially in an underhand manner of blaming victims for the very crimes they perpetuated all these years. The Diocese needs to own its responsibility.

I was also one of the two plaintiffs in the companion cases of *Helen Hyde and Jeffrey Thomas vs The Roman Catholic Bishop of Providence (Thomas Tobin)* filed in August of 2008 that dealt with an earlier version of the civil child sexual abuse statute of limitations and which was decided by the Rhode Island Supreme Court in 2016. After our cases were deemed time barred by the then applicable statute of limitations barring us by age 24, the Diocese cut off my therapy, knowing they now had the freedom to do as they pleased without any civil liability and lacking moral conscience. I struggled tremendous in the aftermath.

Since then, I just learned in reading the AG's 2026 report new information. I learned the Diocese was on notice of Smyth sexually abusing a child as early as the Spring of 1967, before I even entered first grade. That fall of 1967 when I entered the first grade and the sexual abuse started other complaints were made against Smyth. In addition, according to the AG report two fathers provided sworn statements at the Diocese Chancery about their sons being abused by Smyth in early February 1968. The Diocese hid this information during the pendency of my court case, which was litigated from 2008-2016, even though ordered by the trial judge to provide records about Fr. Smyth! The Diocese only produced two pages pursuant to the Court's order: 1) the Bishop McVinney letter of February 15, 1968 when Smyth was sent back to Ireland referenced in the AG report; 2) and a 1994 internal memorandum from the Diocesan director of communications about telling the media that there were "no complaints" should anyone ask about Smyth. A bold face lie.

I also just learned from the AG's report that Smyth, when confronted by Monsignor William Varsanyi and Father Sullivan in early 1968, "admitted freely that the charges (of sexually abusing altar boys) were true and that the most recent incidents WERE NOT THE ONLY ONES". See, AG Report, Appendix A, page 333. This is the first I have learned of this meeting and Smyth's admission in early 1968, plus the role of Fr. Sullivan. This is the same Fr. Sullivan who visited my sister in the hospital when her jaw was wired shut and had to be reconstructed. One of the causes of oral injuries in child is trauma like child sexual abuse. There is no excuse for the Diocese and their legal counsel hiding these relevant and crucial records

from us in our court cases! The injustice is appalling and raises legal and ethical considerations beyond the scope of this letter. The courts have held that lies to the public as opposed to directly to the victim, do not suspend the statute of limitations. Again, that is way passage of HB 7200 is essential.

It is abundantly clear from the AG's report's Appendix A detailing information about the 17 Rhode Island victims of Fr. John Gerard Smyth that the Diocese has more records than the two pages produced by their attorneys, Melissa Darrigan and Howard Merten of Partridge, Snow. It remains unknown whether the attorneys held back the information or the Diocese continued to conceal records, defying the court's order. In either event this level of wrongdoing during a court case that was litigated from 2008-2016 demonstrates that victims of clergy sexual abuse in Rhode Island are not dealing with a level playing field when it comes to the Diocese of Providence, even in a court of law! The Diocese seems to hold all the cards and will not give up information unless forced to do so by virtue of a grand jury investigation and subpoenas in civil suits.

In addition to withholding relevant records concerning Fr. Smyth, I discovered in 2017/2018 that either the Diocese or its lawyers were in communication with the Rhode Island Supreme Court judge who penned the opinion in my case. This information came out when I filed an ethics complaint with the state Ethics Commissions involving now retired Associate Justice Francis Flaherty for his failure to disclose his connections with the St. Thomas More law society and the Diocese on his annual financial disclosure filings, including when he presided over my case. How did Flaherty know information, known only to the defense and that was never presented to the court and not of public record? This kind of influence peddling by the Diocese and its lawyers needs to stop. If it happens with the courts, I can only imagine the influence peddling the Diocese engaged in with members of the General Assembly over the many years we have sought to reform the child sexual abuse statute of limitations. It needs to stop now. Any member of the General Assembly that sides with the Diocese should be ashamed.

Another example of judicial interference by the Diocese is referenced at pages 142-143 of the AG's report regarding Fr. Paul Henry Leech, who was facing criminal prosecution: "According to a memorandum in personnel records from Auxiliary Bishop Angell to Bishop Gelineau, dated October 4, 1985 (the Friday before Leech's Monday sentencing), Msgr. Salvatore Matano, then-Diocesan co-chancellor, was 'contacted by Bill Murphy, our legal counsel, and Father Matano will be in Judge Orton's chambers on this coming Monday, at 9:20AM.' There is no further record of the substance of Matano's meeting with Judge Orton, who that day sentenced Leech to 15 years imprisonment, with 12 years suspended with probation". Why was Monsignor Matano even in the judge's chambers? How many other instances of behind-the-scenes judicial interference and influence peddling by the Diocese exist? How can survivors and victims of clergy abuse possibly have a fair measure of justice when the Diocese engages in this wrongful behavior?

The Attorney General at his recent press conference on the AG Report described Rhode Island as “insular”. How can victims of clergy abuse have any sense of fairness when the Diocese holds back records, engages in judicial interference and influence peddling and lies to the public? It is patently unjust and unfair. The Attorney General’s (AG) report, although seemingly comprehensive, is limited to what records the Diocese voluntarily provided to the AG’s office. The AG called the Report “weak tea” at his recent press conference because he lacked the ability to convene a grand jury that would have resulted in the release of a public report spanning back beyond the short 3 year statute of limitations for second degree sexual assault cases (nonpenetration sexual abuse). What other records exist? What was concealed? What records were destroyed by the Diocese? What was sent to the Archdiocese of Boston or the Vatican or out of the country to heads of religious order priests to avoid subpoena power? For example, two fathers provided sworn statements about their sons being sexually abused by Smyth at the Diocesan Chancery in early February 1968, but those statements were not included in the files produced by the Diocese. See Appendix A, page 331, footnote 31. Yet notes and other records reference the sworn statements. Where are the sworn statements that led to Fr. Smyth being sent back to Ireland in March of 1968 for “treatment”? One cannot trust that all the information in the possession of the Diocese or to which it had access was provided to the AG. This may be a past example but the same tactics of concealment were used in my much more recent civil suit of 2008-2016.

We will never know more truth without subpoena power and forcing the hand of the Diocese. That will come in part through the passage of HB 7200. I know of at least two other female victims of Fr. Smyth who do not seem to be mentioned in the AG’s report. There are likely more victims than 17 Rhode Island victims of Fr. Smyth referenced in the AG’s report. He was convicted on over 100 counts of child sexual abuse in Ireland and Northern Ireland to which he admitted by pleading guilty.

The time is now to take steps to level the playing field and pass House Bill 7200. The Diocese has resisted reforms every step of the way, unless forced to do so by the criminal and civil justice systems and public pressure. Incredibly as a reaction to the AG’s 2026 investigative report they have terminated the 2019 Memorandum of Understanding. This is a clear sign that they have not reformed in the ways necessary to assure protection of Rhode Island children or properly investigate or report complaints of child sexual abuse or grooming. Indeed the Diocese’s reactionary and defensive approach is alarming, if not telling that they have learned very little through the process. It is all the more reason that the passage of House Bill 7200 is essential.

In the past I provided you with analysis of why it is in your power to pass House Bill 7200 and the constitutionality of doing so. Even the AG said his office would defend the constitutionality of HB 7200 if it were to pass. There should be no hesitation on your part. The Supreme Court of Maryland just approved the constitutionality of the Maryland Child Victims Act of 2023 that eliminate their statute of limitations.

Beyond question, retroactive expansions of civil statutes of limitations are allowable under the Federal Constitution. The claim of those who oppose retroactive expansion or opening a short window to revive time barred claims is that it somehow conflicts with the due process clause of the RI state constitution. What is left unsaid is that there was NO civil due process clause in the RI state constitution from 1842 until 1986 or WHY it was adopted in 1986 in the first place. The RI civil due process clause is more recent enacted as compared to other states, for example Maine, with its antiquated and centuries old case law that predates any public awareness of the extent of the clergy sexual abuse crisis and concealment of crimes and causes of action. Times have changed in our evolving understanding of the crimes against children, the dilemma of delayed reporting and cover-up by the Catholic Church. If we are to look to other states, look to the Constitution State of Connecticut which in *Doe vs Hartford Archdiocese* held the Connecticut expanded statute of limitations (CGS 52-577d) was retroactive as to perpetrators and non-perpetrators alike. Connecticut's high courts have found its expanded, retroactive statute of limitations constitutional under both the federal and state constitutions. Maryland just did the

The addition of a civil due process clause in the RI state constitution brought about no earth-shaking changes of favoritism in a categorically discriminatory fashion to shield entities, like the Diocese or the Scouts or the Baptist Church, etc., from the retroactive enlargement of statutes of limitations. If the expansion of the general personal injury statute from 2 to 3 years can be retroactive in Rhode Island, which the Rhode Island courts have so held, then the same should be true for the child sexual abuse statute of limitations. Why should institutions like the Diocese which has literally lied to the public and concealed crimes be entitled to say they have some "vested right in not being sued" when they lie, conceal, hid the truth, interfere with the judicial process and engage in influence peddling of public officials. It is patently unjust and unfair. It is within your power to allow survivors of childhood sexual abuse to obtain some semblance of restorative justice after so many years of suffering and obstruction.

We now have the benefit, though limited, 2026 AG report with information that is both horrific and alarming, meriting opening a window for survivors to come forward and revive claims. Please take the steps necessary to approve H.B. 7200 and send it to the House floor for a vote. The Supreme Court of Maryland just a few weeks ago upheld its 2023 Child Victims Act that eliminated the statute of limitations retroactively and rejected the Archdiocese of Baltimore's claims of unconstitutionality and a vested right not to be sued. Now is the time for Rhode Island to follow suit. Please approve of HB 7200 and send it to the house floor. The time to act is upon us.

Very Truly Yours,

Helen McGonigle Hyde (retired Attorney)

Resident of RI 1966-1973

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