News

Two people hold phones towards an older white man wearing a brown robe and a red zucchet

Boston Cardinal Seán P. O'Malley, president of the Pontifical Commission for the Protection of Minors, speaks with reporters in Asunción, Paraguay, March 13, 2023, after inaugurating the Center for Studies on Human Dignity and Prevention of Abuse at the Catholic University of Asunción. (OSV News photo/Courtesy of the Pontifical Commission for the Protection of Minors)

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Advocates say getting rid of the statute of limitations for victims of child sexual abuse is a matter of moral justice, but the Archdiocese of Boston says the move will hurt its own efforts to help sexual abuse victims.

The Massachusetts Legislature is considering eliminating the civil statute of limitations for adult victims of child sexual abuse. The current law allows victims to file civil lawsuits up to 35 years after the abuse.

The state lawmaker behind the effort, Democratic Sen. Joan Lovely of Salem, said victims still need more time to reckon with the trauma they suffered as children.

Lovely, who says she is a survivor of childhood sexual abuse, told WGBH's "Greater Boston" news show that many victims are unable to come forward until well into adulthood.

"We want to make sure people have the opportunity to bring action when they are ready to do so," Lovely told WGBH.

Lovely did not respond to OSV News' requests for comment.

Terrence Donilon, secretary for communications and public affairs for the Boston Archdiocese, which is led by Cardinal Seán P. O'Malley, provided a statement from the archdiocese opposing Lovely's bill. According to the statement, removing the statute of limitations for civil lawsuits would put at risk the archdiocesan aid program for sexual abuse victims.

"The legislative changes currently proposed and under consideration would jeopardize our ability to continue to (assist victims) and would make it difficult to sustain the many works of mercy the church is committed to through social justice and support for the neediest," the statement said.

But Mitchell Garabedian, an attorney for numerous clergy sexual abuse victims, including some in Boston, said lifting the statute of limitations is imperative.

"Not passing such legislation sends a message to the victims that he or she does not matter, and also allows the sexual abuser, negligent supervisor and entities to escape accountability," Garabedian said.

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David Vicinanzo, a New England attorney who has represented both sexual abuse victims and Catholic institutions throughout his career, called completely lifting the statute of limitations for child sexual abuse victims "almost an incontrovertible good policy."

"From a moral perspective it's not a close call, it's the right thing to do," Vicinanzo said.

A former federal prosecutor as well as a practicing Catholic, Vicinanzo represented neighboring New Hampshire's Catholic Church in the 2000s after the Boston sexual

abuse scandal broke. He helped the Manchester Diocese set up its settlement system to make it easy for victims to seek damages. Currently, he is one of the lead attorneys for more than 1,200 victims suing the state of New Hampshire after they were abused as children while detained in the Sununu Youth Development Center.

Vicinanzo has seen adult victims come forward after living with their abuse for decades, and many state legislatures have or are now considering removing their state's limits.

"It's something that legislatures are becoming enlightened to, the fact that childhood abuse often takes many years to recognize or even report because of the unique traumatic effects it has on a juvenile brain," Vicinanzo said.

Statute of limitation laws can stop victims from being able to seek some form of justice when they are finally ready to come forward. In cases where the alleged abuser is dead and cannot be criminally charged, it is the only justice for which these victims can hope, he said.

Making it easier for victims to seek justice also creates accountability for large institutions, like the church or a state government. Such accountability and scrutiny means abusers will be named and the public protected, Vicinanzo said.

"If you don't make it easy for people to report abuse, it allows the abusers to continue. Until people report it, until people know about it, it continues to happen and more kids get harmed," Vicinanzo said.

O'Malley is the Vatican's point man on dealing with clergy sex abuse. He was appointed president of the Pontifical Commission for the Protection of Minors in 2014. O'Malley also is a member of the international Council of Cardinals, the body instituted by Pope Francis to assist in governing the Catholic Church and institute reforms to the Vatican bureaucracy.