News




The Washington Capitol is pictured in Olympia April 11, 2020. Legislation that would require clergy to report child abuse or neglect in Washington state has been sent to Democratic Gov. Bob Ferguson for his signature. Some Catholics argue if it becomes law, it will force priests to break the seal of confession. (OSV News/Reuters/Jason Redmond)

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Legislation that would require clergy to report child abuse or neglect in Washington state was recently approved by the Legislature and has been sent to Democratic Gov. Bob Ferguson for his signature.

Some have expressed concern that without exceptions for clergy-penitent privilege, the bill could place Catholic priests at odds with civil law in order to uphold church law regarding the seal of the confessional.

Senate Bill 5375, sponsored by Democratic Sen. Noel Frame of Seattle seeks to make members of the clergy mandatory reporters, or people required by law to report suspected or known instances of child abuse or neglect, without an exception to the requirement for sacramental confessions.

In a February statement about her bill to make clergy mandatory reporters, Frame said, "It's long past time that the Legislature steps up, closes this loophole, and protects children."

"I know this is a tough subject for many of my colleagues, especially those with deep religious views," she said. "I respect that, but this bill is about the separation of church and state. This bill is about the state's secular responsibility to the public interest of protecting children. That's the most important thing we do here."

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Ferguson's office did not immediately respond to a request for comment from OSV News about his plans for the legislation.

Similar bills failed in the Legislature in the two previous years after lawmakers could not reach consensus on the exception.

The Washington State Catholic Conference opposed the particular version of the legislation that was passed, urging its supporters to tell their lawmakers to reject it "unless it is amended to provide a narrow exception for confidential communications between a member of the clergy and a penitent person of faith."

"The majority of states that include clergy as mandatory reporters include an exemption for confidential communications, demonstrating that the states' interests in child protection can be achieved without violating the right to free exercise of religion," the conference said in its advocacy bulletin.

The conference, which is the public policy arm of the state's Catholic bishops, has stated it would support such legislation with an exemption for the sacrament of confession.

Most states that specifically include clergy in their mandatory reporting laws provide some clergy-penitent privileges to varying degrees, according to data from the Child Welfare Information Gateway, which operates under the Children's Bureau at the U.S. Department of Health and Human Services.

The Catechism of the Catholic Church states that priests are strictly forbidden from divulging what penitents tell them during confession, which is part of the sacrament of reconciliation, and states that information a penitent divulges is under "seal."

"Given the delicacy and greatness of this ministry and the respect due to persons, the Church declares that every priest who hears confessions is bound under very severe penalties to keep absolute secrecy regarding the sins that his penitents have confessed to him," the catechism states.