

Conn. bishops decry bill to lift statute of limitations

Roberta Tuttle Catholic News Service | Apr. 13, 2010

HARTFORD, Conn. (CNS) -- Connecticut's Catholic bishops are urging Catholics and others to speak out against a bill that would eliminate the statute of limitations for civil lawsuits in cases of sexual abuse.

Archbishop Henry J. Mansell of Hartford, Bishop William E. Lori of Bridgeport and Bishop Michael R. Cote of Norwich sent notices to all pastors April 8, requesting their help in mounting a campaign opposing a measure in the House that would make Connecticut the only state without a statute of limitations for the filing of sexual abuse claims concerning minors.

"The passage of this legislation could potentially have a devastating financial effect on the Catholic dioceses of Connecticut, including parish assets and those of other Catholic service organizations," said the letter to pastors.

"We all realize the serious nature of these crimes," it said. "However, the passage of this law could result in claims that are 50, 60 or 70 years old, which are impossible to adequately defend in court."

In a letter to parishioners and friends distributed in churches April 10 and 11, the bishops said H.B. 5473, which "also targets the Catholic Church across the state and has potentially disastrous fallout for all of us," could be voted on in the General Assembly within two weeks.

They also recalled the success of similar pressure on lawmakers last year, when thousands contacted state legislators and rallied to defeat a bill that would have restructured the governance of the Catholic Church by giving laypeople control of their parish finances.

The bishops' letter said the new measure "would retroactively eliminate the statute of limitations for civil lawsuits related to allegations of child sexual abuse." It added that Connecticut currently has "the longest retroactive statute in the United States," which allows alleged victims to file suit until 30 years after they turn 18.

"Over the past several years in states that have even temporarily eliminated the statutes, it has caused the bankruptcy of at least seven dioceses," it said. "House Bill 5473 would make Connecticut the only state without a statute of limitations. This bill would put all church institutions, including your parish, at risk," the letter said.

"And this is not simply about bankruptcy or the loss of property. Ultimately the legislation would undermine the mission of the Catholic Church in Connecticut, threatening our parishes, our schools and our Catholic Charities," the letter added.

The letter reminded parishioners and others that the U.S. Catholic Church has instituted a zero tolerance policy, which means not allowing anyone to stay in ministry if that person has been credibly accused of abuse, and has "compassionately reached out to victims and their families through counseling, prayerful apology and considerable financial settlements."

The church also has created one of the most effective child protection programs in the country, it added.

It said the attempt to change the statute of limitations is tied to the claims of people abused by the late Dr. George Reardon, who practiced at St. Francis Hospital in Hartford. "While this legislation is aimed directly at this hospital, it also targets the Catholic Church across the state and has potentially disastrous fallout for all of us," the letter added.

"The bottom line is that this is terrible public policy, discriminatory by its nature, and a huge threat to us all. Most important, it does nothing to protect the state's children because it delays reporting. We must stop this bill now," the bishops urged in the letter. Information about how to contact lawmakers to voice opposition also is provided.

The Judiciary Committee approved the bill March 29. It was introduced by Democratic Rep. Beth Bye, who told The Catholic Transcript, newspaper of the Archdiocese of Hartford, that 13 people had approached her claiming to be victims of Reardon. People who claimed they are victims of sexual abuse and advocates for the church testified at a public hearing before the committee March 17.

Many of those who testified talked about the allegations of sexual abuse against Reardon. Opponents of the bill argued that because public institutions are protected from such lawsuits, the bill unfairly targets Catholic and other nonpublic entities.

An editorial April 1 in the Hartford Courant daily newspaper opposed the bill, saying that "hard cases make bad law." It argued that "cooler heads should prevail" and that lawmakers should not be swayed by the emotions of the moment.

Because Reardon died in 1998, he can't be sued. "The target would be St. Francis Hospital, which is already facing scores of potentially crippling lawsuits from people who do not fall within the current time limits," the editorial said.

"There are questions about whether the hospital can defend itself against allegations that reach back decades. Records likely are gone; witnesses' memories may have grown unreliable," it added.

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