

**Testimony of Sister Maureen Paul Turlish
before the House Judiciary Committee in Public Hearings
Legislative Hall, May 29, 2007
Dover, Delaware**

Representative Hudson, and members of the House Judiciary Committee:

I am Sister Maureen Paul Turlish, formerly a Fine Arts chair and teacher at St. Elizabeth High School in Wilmington, Delaware. I have been a sister, a nun, for almost 50 years and I have been a member of the Diocese of Wilmington since 1983.

In addition to the Diocese of Wilmington, I have taught and chaired departments at Archbishop Wood and Lansdale Catholic High Schools in the Archdiocese of Philadelphia. I have also taught in the Archdiocese of Washington, D.C. and Baltimore, Md.

I am not here today representing the Diocese of Wilmington or my religious community. I am not here as a paid lobbyist but as an individual resident of Delaware, speaking for herself, as a victims' advocate and a member of the coalition, Child Victims Voice, who supports the full passage of Senate Bill 29 without amendment.

We have all become aware, particularly in the last five years and in light of the Philadelphia Grand Jury Report, of the ineffectiveness of most states' laws protecting our children.

It is no different in Delaware. But I am here today to say that we can make a difference by the passage of Senate Bill 29 and even set an example for other states.

Senate Bill 29 covers everyone and discriminates against no one. It is definitely not anti-catholic and it is not catholic bashing.

It holds everyone's feet to the fire, as well it should.

Having said that, however, what the ongoing sexual abuse scandal in the Catholic Church has pointed out to us, is the absolute necessity of upgrading our laws so that our children will be adequately protected.

If the bishops, for example, had followed even minimally, the requirements of the laws in place at the time these crimes against children were perpetrated, they would not have had to take extraordinary precautions later to ensure that sexual misconduct did not reoccur.

The remedy should have been to rid the body of Christ, the church, of this cancer. To the shame of all Catholics this was not done because that was not the policy or practice in place at the time.

Clearly, no institution can be trusted to police itself. Sadly, we have become aware of this in regard to other large religious denominations including the Baptist, Episcopalian, Jewish, Latter Day Saints, along with secular institutions and smaller groups, both religious and secular.

But the responsibility to protect the common good belongs to the people, to society at large.

The primary mission of churches, no matter the denomination, is to care for the spiritual well being of its people and to protect them from harm.

Leadership fails when it abandons its children in a misguided attempt to prevent "scandal."

You will hear that it is not "fair" to bring up abuses that happened 10, 20 even 40 or more years ago.

But is it "fair" that individuals who have suffered over so many years will, even now, receive no justice?

In our country there should be provisions in the law for justice, especially when egregious crimes have been committed against the young, when the law itself has been circumvented by enablers who have conspired to hide crimes of such magnitude and depravity.

In advocating for changes in the civil statute of limitations, Bishop Thomas Gumbleton of Detroit endorsed legislation in Ohio that would open a window for sexual abuse victims to file lawsuits even if the abuse took place decades ago.

So, let us be "fair" to them, the victims.

The full passage of Senate Bill 29 without amendment will accomplish this.

I do not believe that removing the time limits on lawsuits will put an extraordinary burden on any institution.

You will hear that it is about money. It cannot be about money when in major cities across the country hundreds of thousands of dollars are spent each year by dioceses to retain law firms and public relations firms to prevent records from becoming public and to lobby to put a kinder, gentler face on hardball legal maneuverings.

It cannot be about money when additional lobbyists are hired at hundreds of dollars an hour to oppose necessary legislation. Even if it were about money, is there a price one can put on the violation of a child's soul and body?

It is about the records, like those records made public in Boston and the records now being forcibly made public in California because they have successfully passed window legislation.

In California victims of childhood sexual abuse by parents, doctors, teachers and coaches, in addition to church ministers, are finally having their day of justice in a court of law.

The full passage of Senate Bill 29 without amendment will accomplish this.

It is about the records when institutions declare bankruptcy on the eve of trial dates as has been the case with the four dioceses declaring Chapter 11 bankruptcy, not Chapter 7.

The Dioceses of Portland, Spokane, Tucson, and Davenport never said that they were running out of money. No, in these cases the reason for declaring Chapter 11 bankruptcy was more to avoid opening church files on the eve of going to trial, then anything else. Moreover, in settling litigation, bishops have been very careful to state clearly that no churches, parishes, schools or programs were shuttered, suppressed, closed or cut back because of settlements with victims of childhood sexual abuse.

One of the most important sections of SB 29 is the "window" legislation for bringing forward suits involving victims who were abused as children many years ago. It will force all institutions, religious and secular, to make public the paper trail, the records of predators who were known, protected and enabled in their crimes against children, their crimes against humanity, because, make no mistake about it, such acts, such crimes are in violation of every human rights convention and document I have ever read.

In the past five years I have talked with hundreds of individuals who were sexually abused as children and it is heart wrenching.

In fact, in this very building last year, I heard one of my former ninth grade students speak about the abuse she suffered for years at the hands of her father.

I did not know in 2002, when the church's sexual abuse problem exploded in the Archdiocese of Boston that this same student had been abused, not just in the ninth grade but throughout her high school career, again, by her father.

Neither did I know then that I knew any sexually abusive priests. I know now that I did. The priest brother of a sister friend of mine was not only an abuser, but was part of a pedophile ring of abusers in another state. One of the priests in that ring, only because he moved out of state, was prosecuted under tolling laws, found guilty and sentenced to 20 years in prison.

Yes, abuse starts in the home with the family but it doesn't stop there. No country, government, corporation, organization, no school and no church is immune.

The reality of past childhood sexual exploitation has to be recognized, accepted and dealt with. It is no less real, no less degrading and no less harmful in long term effects than the present trafficking in women and children and the international sex trade as discussed by Archbishop Celestino Migliore, Apostolic Nuncio of the Holy See Permanent Observer Mission to the United Nations in a March 2, 2007 address to the U.N. Economic and Social Council's 51st Session on the Status of Women.

It is unconscionable that, in the United States and in countries around the world, the church is aggressively fighting against abuse victims and going to court in a misguided attempt to protect the church's reputation and to avoid scandal rather than being pro-active in its concern for the victims.

Justice like charity also begins at home but it does not end there.

The institutional church has a grave moral responsibility regarding the welfare of all God's children and must take responsibility regardless of when the abuse took place.

The Roman Catholic Church was one of the early signatories to the United Nations Convention on the Rights of the Child in 1990.

However, as noted in a Shadow Report on implementation, authorized by the U.N. in 2002, the Holy See has not submitted periodic compliance reports beyond its initial report in 1994, making it accountable to the world community for the implementation of the convention.

And, as far as I can determine from NGOs, follow-up reporting in 1997 has not yet been submitted, ten years after being required. Indeed, no periodic reports have been submitted up to the present.

This is very troubling at a time when all people of good will are deeply concerned about protecting children, as well as women, immigrants, trafficked and indigenous peoples.

The Diocese of Wilmington like most but not all in the United States, has followed the mandates of the United States Conference of Catholic Bishops in establishing diocesan programs which include criminal background checks on all church ministers, teachers, volunteers and individuals. Training workshops and courses for all, including student programs, have been part of diocesan programs for some years.

In the Diocese of Wilmington and across the United States there are now diocesan abuse co-ordinators and review boards.

And this is very commendable but it needs to be remembered that this was done only a result of the church's mandate in 2002 and it will be some time before the effectiveness of these programs can be known.

Baltimore's Cardinal Keeler described childhood sexual abuse as "murder of the soul," and it truly is.

The sins, the crimes of the past cry out for justice and it is incumbent on you, our legislators, that justice be rendered.

The full passage of Senate Bill 29, without amendment, will accomplish this.

Thank you and God bless you.