

An Open Letter to Governor Andrew M. Cuomo
From the Catholic Whistleblowers Steering Committee

May 22, 2017

The Honorable Andrew M. Cuomo
Governor of New York State
New York State Capitol Building
Albany, NY 12224

Re.: Child Victims Act

Dear Governor Cuomo,

If you had been sexually abused when you were a child, what would you be doing today? Or if such sexual abuse had happened to a member of your family, what would be your response?

Sexual abuse of children is a reality in New York State just as it is throughout the United States and around the world. And the voice of each of these victims must be heard whenever the voice speaks out – no matter how long it takes for the victim's voice to come forth.

For the good of the society, when sexual abuse of a child becomes known, the victim needs access to justice and the society needs to know the name of the culprit so as to protect other children.

Thus, looking forward New York State needs to remove all statutes of limitations in both criminal and civil cases of child sexual abuse, as well as adding clergy to the list of mandated reporters and requiring criminal background checks for all employees and volunteers who work with children in either public or private settings.

Moreover, to render justice in civil cases where the current statute of limitations bars victims from speaking up in a court of law, a 'lookback window' of at least one year is necessary so as to provide the victims of child sexual abuse an open door to justice. Of course, guilt and responsibility would need to be established in the court, but with a 'lookback window' the victims at least would have the chance to prove their allegation.

Actually, by his actions, Cardinal Timothy Dolan supports a 'lookback window' in that the Archdiocese of New York's Independent Reconciliation and Compensation Program, imperfect as the program is, appropriately pays out millions of dollars to clergy sexual abuse victims whose claims exceed the New York State statute of limitations. In short, no matter when the sexual abuse occurred, Cardinal Dolan is willing to financially compensate the victim.

However, Cardinal Dolan's plan limps severely in that it excludes compensation for victims of child sexual abuse perpetrated within the context of the Catholic Church by priests, sisters, and brothers who are members of religious orders, as well as for victims of abuse committed by lay employees or volunteers. His plan also does not provide for the public naming of priests against whom there is a substantiated allegation of sexual abuse of a minor as he did in 2004 while he was the Archbishop of Milwaukee.

In addition, even while doing right by a limited number of victim/survivors, Cardinal Dolan, using the expertise of lobbyists representing the New York State Catholic Conference, appears to spare no expense in opposing any proposed legislation that includes opening a civil 'lookback window' which would give those victim/survivors of childhood sexual abuse, by anyone, access to the justice they have been denied for so long.

Finally, it is disingenuous for the Catholic bishops in the United States to purport adherence to a zero tolerance policy for anyone credibly accused of sexually abusing a child. Their claim is off point. As a single yet very important example, the bishops prohibit their independent 'Charter' auditors (StoneBridge Business Partners located in Rochester, New York) to review the sexual abuse allegation files in the diocesan offices throughout the country to verify that each diocese is in compliance with the related civil and church laws. In short, no independent source verifies that the Catholic bishops actually handle allegations of clergy sexual abuse according to procedures required by civil and church laws.

Therefore, we members of the Catholic Whistleblowers Steering Committee urge you to do all in your power to bring about the enactment of the **Child Victims Act**.

Respectfully submitted,

Members of the Catholic Whistleblowers Steering Committee who submit this Open Letter are:

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