



## State of Connecticut

### HOUSE OF REPRESENTATIVES

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PUBLIC HEALTH COMMITTEE

### **Testimony before the Judiciary Committee** **House Bill 5473                      3/17/2010**

### **An Act Concerning Actions to Recover Damages for the Sexual Abuse, Sexual Exploitation, or Sexual Assault of a Minor.**

Sen. McDonald, Rep. Lawlor and Member of the Judiciary Committee:

My name is Beth Bye, State Representative. I represent the 19<sup>th</sup> District.

Thank you for your willingness to raise this important bill again this year. You raised it last year, but it did not make it out of this committee. I ask that this year, you call for a vote on this bill in committee on behalf of the thousands of victims of child sexual assault in CT.

Like you, I was elected to serve the constituents who live in my district. Sadly, I have many, many constituents who were victims of child sexual abuse. Some were sexually abused over many years. This abuse had a profound impact on their lives.

Most have been too traumatized and feel too ashamed to come before you today – even though they are the victims. But they have been writing to me and calling me – pleading to continue fighting to make our laws:

1. recognize the gravity of this injury against them, and
2. recognize the special nature of their injury that prevents them from coming forward.

*One wrote: "I am forever changed and live with that painful experience until the day I die. I live with the pain ... compounded by the fear of being discovered, or worse, falsely accused of being perverted."*

*Another: "I thought I had managed to move on until the physical evidence of the pictures taken during my abuse were found. The discovery of evidence has made me relive my past."*

*Another: "When I read about the discovery of the pictures, it was like yesterday; not 40 years ago ... Someone should have been alarmed that Dr. Reardon was requesting a release to take photographs, yet no photos were found. Also, the fact that he was seeing young boys in the evening at the hospital when the regular staff had gone home, as well as escorting those children home after the visits should have raised a number of flags. The passage of this bill will allow defendants to have their day in court."*

*Another: "Since no one believed me then, I have had to live a life of torment. I have never held a steady job, finished school, kept friends or held onto my family. I have been hospitalized more times than I can count."*

*Finally: "I was molested and photographed by a sick and disgusting pedophile. My younger sister and I were forced to simulate sex acts and photographed in a place where we should have been safe – all in the name of phony science. Dr. Reardon never submitted or presented any results of his decades of growth study analysis. There is no statute of limitations for murder. I had my innocence murdered. I am forever changed and will live with this experience until the day I die."*

These are the voices of victims who will not come forward. Today you will hear from more who are able to speak.

My own analysis is this:

This bill is asking that the statute of limitations in the case of child sexual abuse be dropped.

It is not asking this committee to decide the culpability of any abuser or institution. It simply says: Let's not have the legislature decide who can and cannot seek a claim.

Since I introduced this bill on behalf of a single constituent last year, I have heard from more than 25 victims of child sexual abuse. Some were abused by family members, some by coaches, some by teachers, and a good number by their physician, Dr. Reardon. All of them implore me to keep fighting because this crime is

both hidden and heinous. It takes years – sometimes more than the thirty-plus years allowed by the current law – for victims to realize the harm and emotional damage.

Thirteen victims of Dr. Reardon who are seeking damages live in my district. Seven can make a claim and six cannot because of the statute of limitations. They are victims of the same exact crime. This sexual abuse of children by Dr. Reardon went on into the 1990s. This is not such a distant past for some victims. One of these 13 tried to make a claim in the mid 90s, in his early 40s, but the statute of limitations at that time prevented him from doing so, and now he is past 50 – so even with the recent increase in the statute he still cannot file a claim.

**The difference for the 6 who cannot seek justice is not the gravity of the crime committed against them. It is not the evidence they have or do not have to prove their case in a court of law – the only difference is their birthday.**

And the only reason their birthday stands between them and the courtroom door is because this legislature chose that line in the sand during deliberations and compromises in 2002.

This body should not stand in the way of justice for these victims. I don't believe this body *wants* to stand in the way of justice for these victims. We hold children in a special place in this society and they deserve special protections. This crime against children is so wicked that there should be no statute of limitations.

Just this week the Vatican's chief prosecutor said he will be removing the statute of limitations for priests accused of sexual abuse – because some crimes are so grave that they should not be subject to the statute of limitations. The Vatican is stepping up and doing the right thing recognizing the gravity of the injury to a child. I hope we can follow their lead in Connecticut.

## Bloomberg BusinessWeek

### Vatican to Drop Statute of Limitations for Pedophile Priests

March 13, 2010, 11:37 AM EST

By Flavia Krause-Jackson

March 13 (Bloomberg) -- The Vatican's chief prosecutor will remove the statute of limitations for priests accused of child molestation and said today it was "false and calumnious" to accuse Pope Benedict XVI of a cover-up.

**"Practice has shown that the limit of ten years is not enough in this kind of case."** Monsignor Charles Scicluna, promoter of justice of the Congregation for the Doctrine of Faith, said in a Vatican-approved interview with Avvenire.

Maltese-born Scicluna is in charge of prosecuting clergy accused of delicta graviora, Latin to mean the most serious crimes, including sexual abuse. Avvenire is an Italian daily newspaper owned by the Italian Bishops Conference and affiliated to the Roman Catholic Church.

Benedict has struggled to contain damage to the Church's reputation by allegations of sexual abuse by priests. Bringing the scandal a step closer to the papacy, a German Church report said yesterday that when he was archbishop of Munich he took part in the 1980 decision to move a priest accused of molestation to his diocese to undergo therapy

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Full Article available at: <http://www.businessweek.com/news/2010-03-13/vatican-to-drop-statute-of-limitations-for-pedophile-priests.html>