

THE ROZZI

Report

From State Representative
MARK ROZZI
126th Legislative District

Summer 2016
WWW.PAHOUSE.COM/ROZZI



Statute of Limitations Reform Special Edition



When the movie *"Spotlight"* won the Academy Award for Best Picture in February, no one could imagine what that foretold for our legislative efforts to reform Pennsylvania's archaic and arbitrary statute of limitations laws for survivors of child sexual abuse.

In March, Attorney General Kathleen Kane released a grand jury report about the Altoona/Johnstown Diocese. This report finally unleashed the public outrage that had been missing over the past decade, despite several similarly egregious grand jury reports out of the Archdiocese of Philadelphia.

What allegedly happened in Altoona/Johnstown eerily reflected what happened in the Boston Archdiocese as depicted in *"Spotlight."* The pattern was the same. Innocent children were targeted and groomed

for the pleasure of depraved predators. Heartless adults, to whom the care of these children was entrusted, ignored unmistakable evidence of deep child suffering. Parents and members of the community were deliberately kept ignorant of the tsunami that had insidiously enveloped them. And to add insult to injury, the powers-that-be covered up the unspeakable crimes, leaving children and their families with no path to justice.



In March, Marci Hamilton (left) joins me at a Capitol rally and news conference to discuss the Altoona/Johnstown grand jury report.

A pattern of abuse

That grand jury report introduced dozens of alleged new perpetrators and probably hundreds more victims. But this time, the report highlighted the alleged collusion between the church hierarchy and local government officials. To those of us who think we have heard it all, the report details a payout chart that supposedly was devised between the bishops and their insurance agents for certain levels of abuse, in exchange for signing confidentiality agreements.

In light of this new evidence, child sex abuse victims, advocates, like-minded legislators and I participated in multiple news conferences calling for action on our reform bills, which



Several of my Republican colleagues were publically chastised in Roman Catholic Church bulletins for voting for House Bill 1947 with my retroactivity provision. They remain strong in their support to help ALL victims of child sexual abuse – past, present and future.

had been stalled in the House Judiciary Committee. I met with Gov. Tom Wolf, who pledged to sign a reform bill if it crossed his desk. I personally met with and provided volumes of information to fellow legislators to explain the complex nature of why victims take so long to come forward and the long-term devastation child sex abuse has on adult survivors, often resulting in suicide.

In April, the collective consciousness forced the House Judiciary chairmen to take up the issue for the first time in a decade and House Bill 1947 was introduced and reported out of committee. Statewide support swelled for House Bill 1947 to be voted on in the House, and I was invited to be the keynote speaker at the crime victims' rally that followed, organized by our staunch supporters, the Pennsylvania Coalition Against Rape, the Pennsylvania Coalition Against Domestic Violence and the State Victim Advocate.

Although my ideal reform bill would have incorporated the recommendations of ALL the grand jury reports, legislative leaders indicated they would not run the bill as such. To get our foot in the door, on April 11, I introduced the highly negotiated "compromise" retroactive amendment to House Bill 1947, which would allow past victims of childhood sexual abuse, up to the age of 50, to bring civil suit. The amendment was adopted overwhelmingly.

The next day, following heated debate on the constitutionality of my amendment, and after telling my story before all of my colleagues, the bill passed 180-15. It was a historic moment in legislative history and a personally defining moment for me, as a legislator, and a victim of child sex abuse.



STATE REPRESENTATIVE

MARK ROZZI

P.O. Box 202126
Harrisburg, PA 17120-2126

lpo.kl.0816

Constitutional challenges

House Bill 1947 was referred to the Senate Judiciary Committee, where the Pennsylvania Catholic Conference and the Insurance Federation of Pennsylvania intensely lobbied against it.

I organized a special informational presentation to discuss the need to reform the statute of limitations in Pennsylvania and invited every member of the Senate and House. Phil Saviano, the original "Spotlight" victim/whistleblower, was joined by George Foster, the Altoona businessman who led investigators to uncover the widespread clergy abuse in the Altoona/Johnstown diocese, and Patricia Dailey Lewis, the executive director of the Beau Biden Foundation for the Protection of Children, as panel participants.

The chairman of the Senate Judiciary Committee, Sen. Stewart Greenleaf, chose to hold a hearing strictly on the "constitutionality" question of the legislation. Once again, I had more meetings with senators, victims, advocates and staffers. I shared volumes of information with them on the success of retroactive bills in other states, and how they've sustained challenges in their supreme courts.

Sen. Greenleaf, whose law firm represented the bishops in neighboring Delaware (and lost twice on Supreme Court challenges) planned to chair the hearing, inviting four witnesses from Roman Catholic colleges and accepting related submissions for the record. Our side was allowed one testifier, renowned statute of limitations expert, Marci Hamilton, and one submission, from Kermit Roosevelt, both from the University of Pennsylvania. Professor Hamilton was last to be invited to address the committee, by which time most members had left.

Insult was added to injury by blocking Delaware State Solicitor Lawrence Lewis, who testified about the issue in Delaware and who wrote amicus briefs to the Supreme Court there.

As it turned out, the weekend before the hearing, Sen. Greenleaf was forced to recuse himself after it was reported in The Philadelphia Inquirer that his firm, on the archdiocese's payroll, represented a cleric in the city.

Needless to say, the vote was skewed against my amendment, and most committee members supported an alternative amendment, offered by Senate President Pro Tempore Joseph Scarnati, which gutted my retroactivity provision.



I am very grateful that Phil Saviano was able to join us for a May event at the state Capitol. Obviously, talking about this painful personal experience can be exceedingly difficult, but Phil was a gracious and informative speaker whose impact was felt throughout the Capitol.

On June 30, House Bill 1947, now stripped of the most important provision for past victims of child sexual abuse, passed the Senate 49-0.

On July 1, Brian Gergely, an outspoken victim from Altoona/Johnstown and author of the yet-to-be published book, "The Last Altar Boy," hanged himself.

The fight is far from over

One in four girls and one in six boys have been sexually abused before the age of 18. Only one in 10 will ever tell. Obviously, the child sexual abuse epidemic is not limited to the Catholic Church, but it has spent millions to protect reputations and legacies at the expense of children, their families and the community at large.

To all victims of childhood sexual abuse, I promise I will continue to fight for you. Not only will I fight to put my retroactive provision (up to age 50) back into House Bill 1947, I also will be sure to fight to include a two-year window provision, to give ALL victims the ability to have their voices heard in a court of law.

When the bill ends up back in the Senate on concurrence, will my colleagues there do the reasonable and just thing and leave the issue of constitutionality up to our Pennsylvania Supreme Court to decide?

The time to put an end to the game-playing with people's lives and to the chicanery driven by special interests, is decades past due. It's time to end this nonsense, follow one's conscience and do the right thing.

This story is far from over.