



## Survivors Network of those Abused by Priests

Respectfully submitted to UN Committee Against Torture In Connection with Review of the USA, 53<sup>rd</sup> Session, November 2014

The fact of widespread and systemic sexual violence against children and vulnerable adults by Catholic clergy is now incontrovertible. The violence and cover-ups are not isolated instances but are systemic and driven by the church's structure and policies. The numerous acts and omissions by Catholic officials in cases of child sexual assault constitute torture and trigger the US Government's duty to prevent, punish and remedy torture.

Nearly every diocese in the US is implicated in covering up sexual violence by clergy. In 2002 at least two-thirds of bishops then heading US Dioceses were alleged to have kept or moved accused clergy to new posts. In 2013 Vatican experts reported there are at least 100,000 victims in the US. Church officials use many strategies to conceal sex crimes and claim "religious freedom" to shield predators and themselves from law enforcement and accountability.

Less than 2% of the credibly accused catholic predators have been criminally prosecuted. While church officials claim it is "history" recent revelations indicate that predators remain on the job. While reviewing the Holy See (May 2014) the Committee Against Torture recommended that church officials "take effective measures to ensure that allegations are communicated to the proper civil authorities to facilitate their investigation and prosecution of alleged perpetrators."

In 2013 tens of thousands of documents were released by the Archdiocese of Los Angeles and the Archdiocese of Milwaukee involving hundreds of victims showing, among other things, that church officials worked to shield offending priests, at times transferring them to new assignments, rather than reporting them to civil authorities. Also in 2013 a top canon lawyer for the Archdiocese of Minneapolis-St. Paul resigned and later reported that church officials made "special payments to abusive priests, failed to report alleged sex crimes to police and kept some abusers in ministry."

In 2012 Bishop Robert Finn of Kansas City, was convicted of failing to report suspected child abuse by Father Sean Ratigan who is serving a 50-year sentence for child pornography. Finn remains in his post today.

In 2011 after an in-depth two-year long investigation into allegations of sex crimes a grand jury in Philadelphia found that 37 credibly accused priests were working in ministry with unsupervised access to children and that procedures in the archdiocese to protect children were instead "designed to help the abusers and the Archdiocese itself."

While some victims have found justice and redress in American courts they are a small percentage of the total. The vast majority are barred from seeking redress by archaic statutes of limitation. Church officials have financed costly lobbying efforts to defeat bills in state legislatures where victims have sought to extend or eliminate the statutes.

The US Government does not protect American children from sexual violence within churches and religious schools and fails to uphold its responsibilities under the Convention Against Torture and Other Cruel, Inhuman Degrading Treatment. Art 1 defines torture and the CAT Committee recognizes cases of rape and sexual violence as amounting to torture. Art 2 requires governments to take "effective legislative, administrative, judicial or other measures to prevent acts of torture ... under its jurisdiction."

Art 12 requires prompt investigation when there is "reasonable ground to believe an act of torture has been committed" and Art 13 provides rights to individuals who allege to have been subjected to torture. Sufficient evidence exists of the widespread and systemic rape against children in the Catholic church in the US but no thorough or competent investigation has been implemented by US officials. The vast majority of the victims have not received redress let alone basic respect or acknowledgement.

Lastly, Art 16 requires both prevention and punishment for acts of torture, cruel and inhuman and degrading treatment. In spite of frequent news stories erupting across the nation no federal and only a few local law enforcement agencies have acted to stop sexual violence within the church, provide redress to victims or made any efforts to hold the church officials accountable who continue to conceal and enable sex crimes.

The Survivors Network of those Abused by Priests, SNAP, recommends:

- The US government should ensure that victims of rape and sexual violence by church employees have a right to redress.
- The US government should establish a commission or public entity to assess and provide support to victims and survivors who have been unable to obtain redress elsewhere, especially those barred by civil courts' statutes of limitation.
- The US government should ensure that the CAT concluding observations and recommendations to the Holy See (May 2014) are implemented by catholic officials operating in the Catholic Church in the US.
- The US government should undertake a comprehensive and thorough investigation into the administrative and institutional practices of the Catholic Church within the US.