

House Bill 974
House Judiciary Committee
Civil Actions – Child Sexual Abuse – Definition and Statute of
Limitations
(Hidden Predator Act of 2020)
** SUPPORT **

February 20, 2020

In 2013 I began a private effort doing background research into the history of sexual abuse of minor aged students at my Archbishop Keough High School. This evolved into the Netflix documentary “The Keepers”, a Baltimore based story of sexual abuse and murder. I had no understanding of the lifelong damage done by this intimate betrayal of trust. I thought it was like getting spanked - was something bad that you grew out of and got over. I was wrong about that. This betrayal of trust and physical invasion creates permanent, collateral damage that affects people their entire lives, and rolls over into harming relationships for generations within a family.

Trying to make sense of our Keepers story, I looked further into the institutional systems that were supposed to be protecting children. It was clear that our Keepers Father A Joseph Maskell sexually assaulted scores, perhaps hundreds of children over his lifetime. He began his sexual abuse of both young boys and girls while in the seminary at St. Mary’s in the early 1960s and continued after fleeing from the US to Ireland just prior to a Baltimore civil hearing in 1995. Maskell was chaplain at our Keough high school from 1967 to 1975; both priests who followed him as Keough high school chaplains (Father Brian Cox and Father Steven Girard) are now on abuser lists for abusing young boys. The first three chaplains at Keough were all sexual abusers of boys transferred to work at our all girl’s school. Maskell was hired in Ireland by their government health service to counsel Ireland’s young clergy abuse victims, and sadly there are reports of him abusing children there. Even though dozens of Archbishop Keough sexual abuse victims went to the Baltimore City Sex Crimes division in 1993-1994 to file criminal reports against Father Maskell, the Baltimore City Assistant

State's Attorney refused to file criminal charges against the priest. I kept thinking that I just didn't understand how this could have happened, that there must be some explanation that would make sense of it. The more I looked, the worse the story became. There is a pattern of abusers not being criminally charged, protected by organizations by hiding the information from the community and shuffling the abusers around (allowing them access to harm other children). Both church and state prioritized the protection of organizations from scandal over an obligation to safeguard children in their care. There is no ethical nor moral explanation for how this system evolved.

There are many examples of how this protection played out. Father William Simms was caught sexually abusing young adolescent males in Anne Arundel County in the early 1980s. With the families involved, police were notified - and investigational info went to the Anne Arundel County Assistant State's Attorney. In documentation in a public civil lawsuit, it states that the AA County Assistant SA said he would not file any criminal charges in return for Father Simms' "schedule of children". Just as with Father Maskell, a decision was made not to file criminal charges against a priest. Simms was hidden in Baltimore parish rectories until 2002, then was asked to retire after Cardinal Keeler claimed there were no known abusers in active ministry. Simms had no legal restrictions on his contact with children, and the community was never warned he was living within the parish. That's how this system works - known abusers are not criminally charged, and because of that they are not put on sex offender registries. They live as hidden predators in Maryland communities.

The Archdiocese of Baltimore's public list of clergy they themselves judge to be "credibly accused" has 142 names now, and there are more involved with allegations who have not been publicly named. The Wilmington, Delaware diocese has 39 priests with links to abuse allegations. The Archdiocese of Washington DC has 41 clergy listed as linked to abuse allegations on the Bishop Accountability site. Both the DC and Wilmington dioceses cover parts of Maryland, and some of those abuser priests from both areas were assigned to Maryland parishes and abused in Maryland. Scores of priests in Maryland were quietly removed from ministry after credible sexual abuse allegations involving children with no criminal charges filed. The predators moved on to other jobs, living in the community, passing background checks to

work with children. Where are they now? Sexual predators of children do not just do it once - they are serial predators and continue to abuse. These people are hidden predators right here in Maryland, unknown to neighbors and parents in the community. HB974 would allow them to be named and known.

The problem is not just with religious organizations, though that is what I am most familiar with from our story. Abuse within religious settings actually is the minority; far more children are harmed by family members, acquaintances, teachers, sport coaches, even strangers. HB974 is not targeted at churches - rather it is a global child safety bill, aimed to protect Maryland children from hidden predators in all settings.

I most often hear objections to removing statute of limitation restrictions based on the idea that those who were harmed should come forward at the time of injury or shortly afterwards to report the crime. This makes sense to those of us not harmed. I've learned that those who were harmed do not want to speak of it; they are embarrassed, ashamed, blame themselves and think others will blame them if they speak. They fear retribution by the one who harmed them. They fear their parents will be hurt by knowing they failed to protect their child. They decide their lives will get worse, not better, if they speak. A 2014 German study showed that one third of those sexually assaulted as children will never speak of it. One third do speak around the time of injury - but are often told to keep it secret or they are not believed. The final third do speak later in their adult lives, with the average age of disclosure at 52 years old. As we age, we tend to look back over our life and remember both the good and bad events. We gain confidence, and often the old painful memories begin to haunt us more and more. People are ready to speak as older adults - but are then banned from using the civil judiciary system. Filing a civil case and reliving the events is not something abuse survivors want to do - it is painful, embarrassing but necessary to flush out the predators.

The Maryland Constitution's Declaration of Rights, Article 19 says "That every man, for any injury done to him in his person or property, ought to have remedy by the course of the Law of the Land, and ought to have justice and right, freely without sale, fully without any denial, and speedily without delay, according to the Law of the Land". I believe statute of limitation laws deny those sexually abused as children

from having that promised remedy for the injury. They are promised remedy “fully without any denial” - yet now in Maryland, purely because of their age, they are denied access to the civil court system.

I respectfully urge the Committee to issue a favorable report on HB 974. This will allow those adults harmed in Maryland the opportunity to find out the truth of what happened to them, how they came to be harmed. There are many and valid ways to look at the need for SOL reform, but for me it comes down to allowing those hurt to learn the full picture of how they were harmed. They need access to records, they need questions answered. Many cannot begin to put this behind them, until they fully understand what happened. Right now, that information is being denied as the offenders are being protected by this wall of silence allowed under Maryland laws.

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