

Testimony in Support of HB001

Civil Actions - Child Sexual Abuse - Definition, Damages, and Statute of Limitations (The Child Victims Act Of 2023)

**** Support****

To: Chairman Luke H Clippinger, Vice Chairman David Moon and members of the House Judiciary Committee

From: Abbie Fitzgerald Schaub, with Baltimore's Archbishop Keough High School "The Keepers" Netflix documentary storytellers

Date: March 2, 2023

In 2013 I began doing historical research into the unsolved 1969 Baltimore murder of my high school English teacher, Sister Catherine Cesnik. With the help of others, this evolved into the tragic story of sexual abuse of minor aged students at Archbishop Keough High School. Our story demonstrates the failures of both church and state to hold the guilty accountable. The Emmy nominated Netflix documentary "The Keepers" tells our story. Our abuse survivors are the keepers of this trauma.

I had no understanding of the lifelong damage done by this intimate betrayal of trust. I thought it was something painful that you got over. I was very wrong about that. This betrayal of trust and intimate physical invasion creates permanent collateral damage which affects people their entire lives, and rolls over into harming relationships for generations within a family. Sexual abuse of a minor causes not just physical and mental difficulties but also takes a financial toll on those harmed. Under current Maryland SOL law, the people harmed have to bear those costs rather than the predator.

The problem is not just with religious organizations, though that is what I am most familiar with from our story. Abuse of minors within religious settings is the minority setting statistically; far more children are harmed by family members and acquaintances, usually people in positions of power and trust in their lives.

HB001 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 SOL age caps based on the idea that those who were harmed should come forward promptly to report the crime. This makes sense to those of us not harmed. 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. Many were threatened to keep silent, as our Keough survivors were, and will never speak of it. They fear retribution by the one who harmed them, and do not want their parents or families to know. Abuse survivors may be more able to speak as mature adults, with an average age of disclosure of 52 years; some wait until their parents have died. At that point, the state will not file criminal charges without evidence and those harmed are time-barred from civil courts. The hidden predators remain in communities - passing screening to work with other children. Maryland's SOL time restrictions protect sexual abusers, allowing them to do more harm.

The Maryland Constitution's Declaration of Rights, Article 19, promises that "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 minors 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 HB001 without added amendments. Let lessons learned from our painful Keepers legacy allow other Maryland children to be better protected from sexual predators.

-Abbie Fitzgerald Schaub, resident of Maryland District 13.

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