

Testimony in Support of Senate Bill 134

CIVIL ACTIONS – CHILD SEXUAL ABUSE – DEFINITION AND STATUTE OF LIMITATIONS

****SUPPORT****

TO: Hon. Chairman William C. Smith, Hon. Vice Chair Jeff Waldstreicher, Senate Judicial Proceedings Committee

FROM: Mark O'Donnell

DATE: 01/28/2021

My name is Mark O'Donnell, and I am writing in support of Senate Bill 134.

I am 53 years of age, and a lifetime resident of Baltimore City and Baltimore County Maryland.

For the past 6 years I have worked as an advocate, writer, reporter, and consultant in the area of child sexual abuse, most notably within the Jehovah's Witness church. I attend both criminal and civil trials throughout the United States, seeking to understand and report on critical issues that face our systems of justice.

The legislative changes we have seen developing in the past few years are reflective of the prevalence of childhood sexual abuse, and its life-long impact on survivors, and those who have not survived.

When I was a young boy, I witnessed and learned about abuses of power, and abuses of my peers. These things haunted me throughout my life. I knew that men in appointed positions within the Jehovah's Witness church were capable of great evils, but I also knew that the Church placed a far higher value on the protection of its reputation than it did upon the safety of these children.

There are 1.2 million Jehovah's Witnesses in the United States, with about 23,000 active Witnesses practicing in the State of Maryland. Because of the Church's insular nature and internal judicial system, victims of child sexual abuse are internally barred from seeking any legal recourse for their abuse, until they become former members by leaving the church. As a result, it often takes many decades before a survivor is able to break free from the church and seek a measure of justice.

This is why Statute of Limitations reform is critical.

Seeking extensions for the Statutes of Limitations is not about attacking religious institutions. It is about holding abusers and organizations accountable for the endangerment of the most vulnerable among us. It is about allowing criminal and civil remedies the breathing room necessary to operate without interference, and with the time necessary.

The survivors who contact me on a routine basis are almost always adults whose abuse occurred 20, 30, or more years ago, and who are only now coming to grips with what happened to them. It is only just

that those who were previously barred from seeking civil relief have the opportunity to plead their case before the courts, and before a jury.

It is not unreasonable to seek a window to justice that will allow survivors the opportunity to come forward after being assaulted by their abuser, denied by their church, and blocked by now-outdated laws in Maryland.

For victims of abuse, justice is does not necessarily mean financial compensation. It means acknowledgment of the crimes committed and the exposure of the institutional cover-up of these crimes. This cannot happen without our civil justice system.

In the case of Jehovah's Witness victims, there is an extensive database of documents held in congregation files here in Maryland, and at Watchtower Headquarters in New York. These records are not just the confidential confessions of child molesters, they include a far larger archive of church interrogations of both victims, family members, and abusers themselves.

Sadly, victims are banned from accessing these documents. The only remedy is to permit our civil justice system to legally extract these documents through discovery, and grant victims the transparency and justice they deserve.

This process is both legally necessary and morally healing for victims of abuse, but it takes a long time for these survivors to come forward.

If there is one thing that a survivor needs from the State of Maryland, it is patience and the understanding that child abuse is a crime that is not easily reported. And for so many victims, by the time they report their abuse, it is too late.

I respectfully urge our lawmakers to please pass Senate Bill 134 and grant those who have suffered so much for so long, the opportunity for justice. ***For these reasons, I urge a favorable committee report and passage of Senate Bill 134 without amendment.***

Respectfully submitted,

Mark J. O'Donnell

References:

- <https://www.theatlantic.com/family/archive/2019/03/the-secret-jehovahs-witness-database-of-child-molesters/584311/> (The story of Mark and Kimberly O'Donnell and the abuse database)
- Speaker at 2017 Reveal Conference in London, sponsored by the [Center for Investigative Reporting](#)
- Testified for the 45th Investigative Grand Jury of the State of Pennsylvania August and December 2019
- Editor [JWSurvey.org](#) ([jwwatch.org](#))
- Subject of the upcoming Vice documentary The Crusaders

Article Samples:

<https://jwwatch.org/child-abuse-2/new-york-law-means-justice-for-all-the-child-victims-act>

<https://jwwatch.org/child-abuse-2/jehovahs-witness-elder-arrested-on-four-counts-of-felony-sexual-assault-of-minors-criminal-trial-set>

<https://jwwatch.org/child-abuse-2/jehovahs-witnesses-found-guilty-of-malice-and-negligence-victim-awarded-35-million-in-montana-lawsuit>

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<https://jwwatch.org/news/montana-supreme-court-rules-church-doctrine-trumps-mandatory-abuse-reporting-law-35m-verdict-against-jehovahs-witnesses-reversed>

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