

SB0686

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

**Judicial Proceedings Committee**

**Thursday, February 23, 2023**

**Janis Zink Sartucci on behalf of**

**Parents' Coalition of Montgomery County, MD**

Thank you for the opportunity to speak today.

**As recently as 2021, another child sex offender was shown to have been employed by MCPS for 25 years, known to be a sex offender, and left in MCPS classrooms.** The victims of this child sex offender never had their day in court. The crimes were never reported or prosecuted. We only know about them now because the Buffalo, NY office of the FBI released the previously secret MCPS personnel records on this offender.

The Buffalo, NY FBI press release is attached. MCPS has never reached out to these victims or reported these crimes. Will these victims ever have their day in court?

We would like to remind the Committee that the Justice Reinvestment Act of 2016, included allowing sex offenders to have their records expunged and their names removed from the Maryland Sex Offender Registry. We now have a [list of former MCPS teachers who were convicted of sexually abusing school children, sentenced and put on the Maryland Sex Offender Registry](#) who have now had their convictions and Sex Offender Registry entries expunged. Why were sex offenders who were sentenced to lifetime registration included in this legislation?

The [Netflix documentary The Keepers](#) focused on Maryland's legislature and how the Maryland legislature protects sex offenders. Is this really the international reputation that we want for Maryland? A sex offender friendly state?

The presence of the Catholic Church's sex offender facility in Silver Spring brings more international attention to Maryland along with concerns about reporting and registration of the [sex offenders that reside at the St. Luke's Institute](#).

Covering up crimes against children is costly to classrooms and to children's lives. Will this be the year that the Maryland legislature decides to put children first?

*Janis Zink Sartucci*

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FOR IMMEDIATE RELEASE

Friday, July 30, 2021

## **Retired [MCPS] School Teacher Arrested And Charged With Enticement Of A Minor And Possession Of Child Pornography**

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BUFFALO, N.Y. - U.S. Attorney James P. Kennedy, Jr. announced today that Richard W. Scherer, 70, of Depew, NY, was arrested and charged by complaint with enticement of a minor and possession of child pornography. The charges carry a mandatory minimum penalty of 10 years in prison, a maximum of life, and a \$250,000 fine.

Assistant U.S. Attorney Aaron J. Mango, who handled the case, stated that according to the criminal complaint, on June 28, 2021, the FBI received information regarding the defendant from a citizens group known as Predator Poacher, which maintains a website and YouTube channel. The group maintains several online accounts that purport to be minors of various ages, using the accounts to chat with adults who later meet for sexual contact. These contacts are recorded, the individuals interviewed, and the videos then posted to the group's platforms. A member of the group made contact with Scherer on the Instagram account richard\_scherer. The defendant believed the member was a 13-year-old girl. The communications between the two were sexual in nature and culminated with a planned meeting at a retail store on Amherst Street in Buffalo. When Scherer arrived, the

group confronted him outside the store and interviewed him for about 58 minutes, during which he allegedly admitted that he is a pedophile. The Buffalo Police were called following the interview.

Subsequently, investigators accessed Scherer's communications with the purported 13-year-old girl, which occurred between April and June 2021. During those communications, which became graphic and sexual in nature, the defendant mentioned he was a teacher, who taught sexual education in the past. On June 27, 2021, Scherer arranged to meet the purported 13-year-old girl the following day, and when he showed up for that meeting, the defendant was confronted by members of Predator Poacher. The final text from Scherer was "I'm here." According to the complaint, the defendant also communicated with a purported eight-year-old girl through Predator Poacher, during which the communications also became graphic and sexual in nature.

Scherer was a teacher for approximately 25 years in the Montgomery County (Maryland) Public Schools. A report obtained from the school system during the investigation stated, "On June 13, 2011, the parent of a 4th grade student, [redacted by MCPS], came to the school and made a report to an assistant principal about some concerns she had regarding possible inappropriate behavior by Mr. Scherer while interacting with students." The report stated that the student related that when the defendant has lunch with a particular student, "he pulls her to him and hugs her, that he has patted her rear end and hips, and that he pressures her to each lunch with him." The parent advised that her daughter and the daughter's friend are often pressured to each lunch with Scherer. In September 2011, the Superintendent of Montgomery County Public Schools sent a letter to the State of Maryland Superintendent of Schools. The letter stated, "this is to notify you that Mr. Richard W. Scherer, an English for Speakers of Other Languages (ESOL) teacher for Montgomery County Public Schools, resigned after notice of allegations of misconduct involving a student. I recommend that Mr. Scherer's certificate be revoked." The defendant's teaching certificate was subsequently revoked.

A search of the defendant's cell phone recovered two images of child pornography.

**Members of the public who have information related to this case are asked to call the Federal Bureau of Investigation at 716-843-1680.**

The criminal complaint is the result of an investigation by the Federal Bureau of Investigation, under the direction of Stephen Belongia, Special Agent-in-Charge.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

[Retired School Teacher Arrested And Charged With Enticement Of A Minor And Possession Of Child Pornography | USAO-WDNY | Department of Justice](#)