

TESTIMONY IN SUPPORT OF (FAV) HB0722

Abrogating the Doctrine of Charitable Immunity as a Defense in Child Sexual Abuse Claims

To: Hon. Sandy J. Bartlett, Chair and members of the House Judiciary Committee

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My name is Francis Schindler and I am a resident of District 46 in Baltimore. I am also a survivor of child sexual abuse at the hands of a Roman Catholic priest - abuse that took place over 20 times when I was five years old and in kindergarten. I testified before this committee and the Senate Judicial Proceedings Committee numerous times in support of the passage of the Child Victims Act of 2023, since modified.

I am here today to strongly support HB 722, which will help ensure no organization classified as charitable, or any member of such an organization, can evade being held completely responsible and accountable for the sexual abuse of children.

The overwhelming passage of the CVA clearly demonstrated the intent of the Maryland state legislature as representatives of the people of Maryland to provide justice for all survivors of child sexual abuse, no matter the source or perpetrator of that abuse. The defense of charitable immunity undermines & defies that intent. It is a doctrine that has, in many jurisdictions, already been abolished.

The passage of the CVA after so many years of struggle was celebrated by survivors who were finally told they had been heard and believed. Survivors felt that at long last they would receive the justice they demanded and deserved. Personally, I reacted with a considerable amount of disgust, but with no degree of surprise, when the Catholic Church invoked the doctrine of "charitable immunity" to claim they were exempt from liability for the heinous actions committed by hundreds of priests and covered up by a string of bishops. The extent of the horrific child sexual abuse perpetrated and enabled under the auspices of the Archdiocese of Baltimore was documented in excruciating detail by the Maryland Attorney General's report, issued in 2023, a report which, together with the testimony of survivors, helped bring about the passage of the Child Victims Act.

As a survivor, I can attest that hearing the RCC attempting to escape responsibility for their actions through the hypocrisy of defending those actions by essentially placing child sexual abuse in the context of their charitable mission was devastating and re-traumatizing for all survivors. Once again, the church was turning its back on those they harmed & ignoring the life-long pain & trauma they inflicted. This time under the auspices of being "charitable".

No one, no matter what type of collar they wear, or what organization they might be part of, should be allowed to escape being held accountable for the criminal action of sexually violating a child.

Perhaps people have different definitions of "charitable". In my opinion, raping a child is not a charitable act.

Respectfully, I urge this committee to rule favorably on HB772 to help ensure all survivors are heard, believed, and receive the justice and accountability to which they are entitled. Thank you for considering this bill and for hearing my testimony.

