

FREEDOM FROM RELIGION *foundation*

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May 20, 2021

SENT VIA EMAIL AND U.S. MAIL:
Civil.Feedback@usdoj.gov

The Honorable Merrick Garland
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Re: Request for federal investigation into Roman Catholic Church for
facilitating and actively concealing sex crimes against minors

Dear Attorney General Garland:

We are writing on behalf of the Freedom From Religion Foundation to urge the United States Department of Justice to follow the lead of several U.S. states and other countries by opening an investigation into the Roman Catholic Church for facilitating and concealing systematic sexual abuse. FFRF is a national nonprofit organization with more than 35,000 members across the country. FFRF's purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

As you are likely aware, a 1,400 page Pennsylvania grand jury report released in 2018 detailed thousands of instances of sexual abuse by clergy in six of the states' eight dioceses. The report revealed not only a staggering number of victims, offenses, and offenders, but also showed that the Catholic Church's secretive and imposing structure allowed hundreds of offenders to escape prosecution for decades.

This systematic sexual abuse and cover-up in the Catholic Church is global in scale. The governments of the Republic of Ireland and of Australia have both initiated and conducted national investigations into this epidemic, with Australia referring 2,500 cases to police after interviewing more than 8,000 abuse victims, and Ireland describing rape and molestation in schools operated by the Catholic Church as "endemic."

Twenty states besides Pennsylvania, as well as Washington, D.C., have investigated or are launching investigations of this issue since 2002.¹ Most recently, Wisconsin just announced its own investigation following a survivor's suicide after the church reportedly stopped paying for his medication and therapy following years of abuse.²

It is time for the United States to follow the lead of these states, and the nations of Ireland and Australia, and investigate this massive and coordinated abuse of minors throughout the country. Other organizations have also recently called for an investigation at the federal level.³

A federal investigation is especially fitting because the Church's "musical chairs" history of deliberately moving offenders to new locations—shielding them from local exposure and outrage, and providing them with fresh victims—creates an inter-state crisis that no individual state is equipped to handle. The Church has acted as though it has a license to sexually betray parishioners and turn its back on innocent victims, leaving a trail of devastation.

Even the Catholic Church itself has admitted that this is a global problem with Pope Francis recently referring to a "culture of abuse" inside the Church.⁴ In 2018, a study commissioned by the Church found that more than 3,600 children in Germany were assaulted by Catholic priests between 1946 and 2014,⁵ and a similar study in France found more than twice as many survivors in what the commission called the scale of the abuse "startling."⁶

¹ Source: CHILD USA.

childusa.org/wp-content/uploads/2020/05/2020-05-04-State-AGs-Investigating-Sexual-Abuse-in-Catholic-Church.pdf.

² Haley BeMiller, *St. Norbert Abbey paid former student who reported priest sex abuse*, Green Bay Press-Gazette (Dec. 3, 2020), available at

www.greenbaypressgazette.com/in-depth/news/2020/12/03/st-norbert-abbey-paid-former-student-who-reported-priest-sex-abuse/6186892002/.

³ See, e.g., David Clohessy, *It's time for our Catholic president to address the church's sexual abuse scandal*, Religion News Service (May 13, 2021), available at

www.washingtonpost.com/religion/its-time-for-our-catholic-president-to-address-the-churchs-sexual-abuse-scandal/2021/05/13/b4fc121e-b40e-11eb-bc96-fdf55de43bef_story.html.

⁴ Courtney Mares, *Pope Francis: 'Never again to the culture of abuse'*, Catholic News Agency, available at

www.catholicnewsagency.com/news/never-again-to-the-culture-of-abuse-says-pope-francis-in-book-introduction-18108.

⁵ *German Catholic priests 'abused thousands of children'*, BBC (Sept. 12, 2018), available at

www.bbc.com/news/world-europe-45500072#:~:text=More%20than%203%2C600%20children%20in,be%20published%20on%2025%20September.

⁶ Rick Noack, *Catholic clergy in France abused more than 10,000 child victims, independent commission estimates*, Washington Post (Mar. 2, 2021), available at

www.washingtonpost.com/world/europe/catholic-church-abuse-france/2021/03/02/0641a868-7b62-11eb-8c5e-32e47b42b51b_story.html.

Late last year, the Vatican released a 445-page report detailing myriad allegations of sexual assault against one former cardinal, Theodore McCarrick.⁷ However, the pope's predictable failure to provide any meaningful action to correct the problem confirms what FFRF and many other victims' rights groups have asserted for decades: the methodical, organized sexual abuse in the Catholic Church will not stop until secular authorities intervene.

The Church's claim of divine authority gives it coercive power over its congregants that allows it to get away with widespread crimes. Under Catholic Canon law, adherents are required to give a "religious submission of the intellect and will" to their church. For millennia the Church has used that power to suppress questions, doubts, and dissent. This leads to frequent unprosecuted crimes against child victims who are forced to remain silent by their parents under pressure from, and fear of, the Church. Undue deference has not only been shown by the faithful, but all too often by police, prosecutors and justices who have turned the other way when confronted with evidence of abuse. Compounding the cover-up is the active lobbying by the Catholic hierarchy to suppress reform of statutes of limitations in many states. The Church in New York state alone has spent close to \$2 million to lobby on its own behalf over civil actions and to fight statute-of-limitations reforms.

This structural protection for abusers is inherent in religion and helps explain why churches attract predators. This is a problem that is not limited to the Catholic Church, as demonstrated by FFRF's tireless recording of clergy criminal acts in a column entitled "Black Collar Crime Blotter" in *Freethought Today*, FFRF's newspaper, and publishing the first nonfiction book on the crime of clergy abuse of children in 1988. Even compared with other churches, though, the Catholic Church has proven time and again to be uniquely callous toward victims, to exploit its hierarchical structure to cover up crimes and to be disproportionately represented among clergy abusers.

We ask that the United States Department of Justice not sit by while a hyper-wealthy, tax-exempt organization facilitates the sexual abuse of thousands of children in the United States, cites divine authority to silence victims, and works vigorously to protect both the abusers and the Church's officers until states' statutes of limitations have run out on the organization's child sex crimes. Catholic school

⁷ Report on the Holy See's Institutional Knowledge and Decision-Making Related to Former Cardinal Theodore Edgar McCarrick (1930 to 2017), available at www.vatican.va/resources/resources_rapporto-card-mccarrick_20201110_en.pdf. See also www.patheos.com/blogs/freethoughtnow/vatican-abuse-report-is-far-too-little-too-late/.

students should not be thrust into an environment with a heightened risk of sexual abuse due to their parents' decision to provide a religious education for their children. Your office has the power and the responsibility to protect these families. For the sake of justice for our nation's children, we urge you to immediately commence an investigation into the Catholic Church's cover-up and crimes against minors.

Very truly,

Handwritten signatures of Annie Laurie Gaylor and Dan Barker in blue ink.

Annie Laurie Gaylor & Dan Barker
Co-presidents

ALG/DB:rdj