

FREEDOM FROM RELIGION *foundation*

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September 17, 2018

Rod J. Rosenstein
Deputy Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

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

Dear Deputy Attorney General Rosenstein:

We are writing on behalf of the Freedom From Religion Foundation to urge the 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 systemic sexual abuse. FFRF is a national nonprofit organization with more than 32,000 members across the country, including members in all fifty states. 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 certainly aware, a recent 1,400-page Pennsylvania grand jury report 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 coverup in the Catholic Church is not confined to Pennsylvania, or even to the United States. 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."¹ However, only nine states besides Pennsylvania have

¹ Samantha Cooney, *"It's Basically Happening Everywhere." Survivors Say More States Should Investigate Church Abuse Like Pennsylvania*, TIME (Aug. 16, 2018).

investigated this issue since 2002.² It is time for the United States to follow the lead of states like Pennsylvania, New York, New Hampshire, Massachusetts, Missouri, New Jersey, Illinois, New Mexico, Nebraska, and Maine, and the nations of Ireland and Australia, and investigate this massive and coordinated abuse of minors throughout the country.

A federal investigation is especially fitting because the Church's "musical chairs" history of deliberately moving offenders to new locations—shielding them from local 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.³ Just last week, a study commissioned by the Church itself found that more than 3,600 children in Germany were assaulted by Catholic priests between 1946 and 2014.⁴ 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.⁵ 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 coverup 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

² *Id.* (citing ten reports compiled by BishopAccountability.org in Pennsylvania and four other states). Missouri, New Jersey, Illinois, New Mexico, and Nebraska have also recently commenced statewide investigations.

³ Elliott C. McLaughlin, *Victims welcome Pope's letter on Pennsylvania sex abuse report, but they want more than words*, CNN (Aug. 20, 2018), available at www.cnn.com/2018/08/20/us/pope-francis-letter-reaction-sex-abuse-report/index.html.

⁴ *German Catholic priests 'abused thousands of children'*, BBC NEWS (Sept. 12, 2018), available at www.bbc.com/news/world-europe-45500072.

⁵ Code of Canon Law, Book III, Can. 752, available at www.vatican.va/archive/ENG1104/_P2H.HTM#FW.

lobby on its own behalf over civil actions and to fight statute of limitations reforms.⁶

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" in Freethought Today, FFRF's newspaper.⁷ 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.

The Department of Justice should not sit idly by while a hyper-wealthy tax-exempt organization facilitates the sexual abuse of thousands of children, cites divine authority to silence victims, and works vigorously to protect both the abusers and the Church's coffers until the statutes of limitations have run out on the organization's child sex crimes. Catholic school students should not be thrust into an environment with a heightened risk of sexual abuse due to their parents' decision to push a religious education on their children. Your office has the power and the responsibility to protect these families. For the sake of national safety and justice for our nation's children, we urge you to immediately commence an investigation into the Catholic Church's crimes against minors and coverup.

Very truly,


Dan Barker & Annie Laurie Gaylor
Co-Presidents

DB:ALG:rdj

⁶ George Joseph, *US Catholic church has spent millions fighting clergy sex abuse accountability*, THE GUARDIAN (May 12, 2016), available at www.theguardian.com/us-news/2016/may/12/catholic-church-fights-clergy-child-sex-abuse-measures.

⁷ Back issues of Freethought Today and Black Collar Crime are available at FFRF.org.