

# FREEDOM FROM RELIGION *foundation*

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June 22 , 2020

## **SUBMITTED VIA HAWAII LEGISLATURE WEBFORM**

The Hon. Karl Rhoads, Chair  
The Hon. Jarrett Keohokalole, Vice Chair  
HI Senate Committee on the Judiciary  
415 S Beretania St.  
Honolulu, HI 96813

Re: Testimony in support of H.B. 2177

Dear Chairman Rhoads and Committee members:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to submit testimony in support of H.B. 2177. FFRF is a national nonprofit organization with more than 30,000 members across the country, including many members in Hawaii. FFRF protects the constitutional separation between state and church, and educates about nontheism.

H.B. 2177 expands justice by extending the statute of limitations for the survivors of childhood sexual abuse to bring civil claims against their abusers. While a total repeal of the statute of limitations would be preferable, extending the statute of limitations is an unambiguously good decision for sexual abuse survivors in Hawaii who have thus far been denied justice due to the unnecessary restrictions of Haw. Rev. Stat. § 657-1.8. FFRF strongly urges the Committee to approve this measure.

The abuse, assault or rape of children has lasting physical, emotional, and mental effects. The victims are changed forever and their development as an individual, as a person, is altered in ways non-victims may never truly understand. We should not be surprised that it takes years, or even decades, for these victims to face what has happened to them, let alone take the difficult steps of seeking redress and justice. Our laws should give access to justice to these survivors when they are ready, not shut the door on them because they took what some might consider to be “too long” to deal with the earth-shattering consequences of their abuse.

In recent years, many states have investigated child sexual abuse perpetrated by clergy employed by various Catholic dioceses and other churches, and have found the problem's scope to be massive.<sup>1</sup> These investigations have revealed structural protections for abusers baked into many church practices, which helps to explain why churches attract predators. This problem is not limited to the Catholic Church, as demonstrated by FFRF's tireless recording of clergy criminal acts in a regular column titled "Black Collar Crime" in Freethought Today, FFRF's newspaper.<sup>2</sup>

Considering the severe psychological trauma that can result from childhood sexual assault and the extreme power that churches hold over many communities, it is unsurprising that many survivors do not pursue legal action until long after they reach adulthood. This legislation is desperately needed.

Churches have vocally and predictably objected to attempts to hold abusers accountable, but their objections are callous and unfounded. This bill is not a free ticket to target churches for money. Survivors still have the burden of proof, and still must find and submit evidence. The longer they wait, the more difficult that becomes. H.B. 2177 simply gives them the chance to try.

Thank you for the opportunity to testify in support of this bill, and for your commitment to helping to protect your most vulnerable constituents and to hold abusers accountable. If I can provide any further information that would be helpful, or can answer any questions on the issues I've raised, please feel free to contact me at [ryan@ffrf.org](mailto:ryan@ffrf.org).

Sincerely,



Ryan D. Jayne  
Staff Attorney  
Freedom From Religion Foundation

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

<sup>2</sup> Back issues of Freethought Today and Black Collar Crime are available at FFRF.org.