

Bill challenges confessions

Marnie Grose/CNS

LOUISVILLE, Ky. — A bill that challenges the sacramental seal of confession in the Catholic Church was filed in the Kentucky House of Representatives as it opened its 2003 session Jan. 7.

The proposal seeks to amend the clergy-penitent privilege to say that the "privilege shall not extend to any communication relating to the neglect or abuse of a minor child."

The clergy-penitent privilege, somewhat comparable to the attorney-client privilege, currently allows clergy to refuse to disclose any information communicated to them while they are acting in the role of spiritual adviser or confessor.

The bill, sponsored by Rep. Susan Westrom of Lexington, would require all members of the clergy — "minister, priest, rabbi, Christian Science practitioner or other similar functionary of a religious organization" — to report information disclosed to them under any circumstances if it relates to the abuse or neglect of a minor.

The Catholic Conference of Kentucky, public policy arm of the state's bishops, said it will oppose the bill.

The proposal would also amend the state's child abuse and neglect reporting law, which currently requires all people to report information regarding child abuse or neglect except when that information is learned by an attorney from a client or by a member of the clergy from a penitent.

The bill would strike the clergy-penitent privilege from that law while leaving the attorney-client privilege intact.

Westrom, a therapist who has worked with sexually abused children, said she is thankful the reporting law requires her to disclose

any knowledge she has of abuse or neglect.

"People today are very well-aware of the consequences of this violence (against children)," she said. "That's a tremendous burden for the clergy to deal with, to feel that they, as the front-line to God, cannot protect a child from further abuse."

Westrom noted that several states have similar legislation.

The clergy-penitent privilege was not originally included in Kentucky's child abuse and neglect reporting law. Legislation to include the privilege was enacted in 1984 — adopted 94-1 in the House and 36-0 in the Senate.

That legislation, initiated by the Catholic Conference of Kentucky and the Kentucky Council of Churches, was prompted by an incident involving a Kentucky priest who discovered a case of child abuse and neglect.

After hearing of abuse, the priest began counseling the family and did not report the abuse to authorities. Police learned of the alleged abuse from a third party, and told the

priest he could have been arrested for failing to report.

The faithful have depended on the seal of confession for centuries, Father Mark Spalding, judicial vicar of the Archdiocese of Louisville, told *The Record*, archdiocesan newspaper. "People rely on that as they enter into that experience (of confession), the absolute confidentiality that is found there."

Church law absolutely prohibits a priest-confessor from "betraying a penitent by word or in any other manner for any reason." A priest who betrays a penitent directly is automatically excommunicated and only the Holy See can lift the excommunication.

"I think this (bill) needs serious thought and reflection before any move is taken," Father Spalding said, noting that it raises First Amendment issues. "You're starting to interfere with church-state relations," he said.

"I can appreciate and respect the desire here of reporting," he added. "But I don't know if this is the way to go on this issue."



Reuters/CNS

Expecting inspections

Iraqi children watch as U.N. weapons inspectors arrive to search a medical appliance company in Baghdad Jan. 10.

Study details abuse of U.S. nuns

WASHINGTON (CNS) — As many as two-fifths of U.S. nuns may have experienced some form of sexual abuse as children, or been subjected to sexual abuse, exploitation or harassment as adults, according to a national study conducted by a team of specialists at St. Louis University.

Most of the nuns who experienced abuse as a child said the abusers had been male relatives or family friends, but 6 percent of the abusers were reported to have been priests and 3.2 percent nuns.

The team found that many nuns who experienced such abuse connected the experience with feelings of anger, shame, anxiety, confusion and depression and with difficulty in

praying and in working. Some had considered leaving religious life or leaving the church following such an experience.

The results of the study, conducted in 1996, were fully reported in two scholarly professional journals in 1998 but did not receive wide public attention until the *St. Louis Post Dispatch* did a story on the study Jan. 5.

Precious Blood Sister Andree Fries, who was president of the Leadership Conference of Women Religious at the time of the study, told Catholic News Service the results "were not a big surprise" to communities of nuns because "all of us had been dealing with the after-

effects" of sexual abuse experienced by community members, especially those abused as children.

The study was based on responses to a detailed questionnaire by 1,164 women religious.

One notable finding was that only 18.6 percent of the women religious surveyed reported having been sexually abused as a child — a figure well below the 30 percent to 40 percent range of childhood sexual abuse found in many other studies of U.S. female populations.

When the sisters were asked about experiences of sexual exploitation as an adult — defined as a violation of professional ethics in relationships such as teacher-student, counselor-client, doctor-patient, or confessor-penitent — only 11.5 percent reported such experiences.

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