

Don't make victims wait

Saturday, November 13, 2004

New Jersey is on the verge of joining the 40 other states that allow those who were sexually abused as kids to sue all responsible -- including institutions. Currently, charitable organizations, such as churches, enjoy immunity from such suits. The Assembly is ready to take a final vote Monday on a bill that will change all that. It's about time.

The Catholic Church has been leading the opposition, arguing that the measure will make the church liable for sexual crimes that priests committed decades ago. This, its spokesman says, is unfair. It amounts to "changing the rules in the middle of the game." As an alternative, he suggests that charitable immunity be removed as a legal defense as of Sept. 24, 1992, when the Child Sexual Abuse Act became law.

When the church isn't offering that justification for retaining some form of the charitable immunity that has been on the books since 1958, it says making charitable organizations subject to lawsuits could end up bankrupting the institutions. But that hasn't been a problem in the other 40 states.

Without a doubt, the church and the bishops have made progress in dealing with priests and others who sexually abuse children. They have put safeguards in place to filter out pedophiles. But it wasn't always that way. For decades church officials covered up the crimes by offering hush money to the victims and their families so they would not go to the police.

Under the law, the church or any other charitable institution was not legally responsible if someone who benefited from its services was harmed. So a 12-year-old attending a youth program could not sue if the priest running the program abused him. In some cases, though, the church did offer a settlement, but it had no obligation to do so.

Experts say victims of sexual abuse often take years to fully realize the crimes happened. That's why it's important to allow much leeway in filing such suits. Victims also say that for years charitable immunity prevented them from taking legal action and that they should not be penalized now for not acting sooner.

We agree. The Assembly should act, and the legislation should be signed into law immediately. The victims shouldn't have to wait any longer.