

The case against statute of limitations on child abuse



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It is a paradox of “social movements” that they rely on lone voices, sharing stories of impact and pain. Whether chanting “Me Too” or “Black Lives Matter,” it is easy to stand in a crowd and demand change and much harder to stand alone, as one Bowie resident did last month, when he shared with strangers the most horrifying and vulnerable experience of his life in a recorded Zoom session for the Maryland General Assembly.

The legislators tuning into the hearing had been given a 200-page stack of testimony from survivors of childhood sexual abuse, all of it urging them to strengthen a law called the Hidden Predator Act that had passed with great fanfare in 2017. The Senate Judicial Proceedings Committee would spend almost two hours going back and forth with a lobbyist sent to oppose the bill, also known as SB134.

But, because of COVID protocols, they would only hear from one lone survivor; 63-year-old David Lorenz. And he had just three minutes starting one hour and 51 minutes into the hearing to tell them why the 2017 law cannot stand.

“Today, I would like you to focus your attention on the survivors of child sexual abuse because their voices and stories deserve to be heard,” said Lorenz, director of the Survivors Network of those Abused by Priests. Since 2007, he has been part of a

growing social movement of those advocating for survivors of childhood sexual abuse.

With three minutes, Lorenz didn’t have time for hidden agendas or even the kind of polite chatter that is customary. Three minutes wouldn’t be enough to begin to tell Lorenz’s own story, though he summed it up neatly in just a few sentences.

“I’m a survivor of sex abuse,” he testified, briefly holding up a picture of himself as a clean-cut young man in a classic yearbook portrait, complete with white tuxedo and combed bangs.

“I suffered at the hands of my high school guidance counselor, Father Earl Bierman, when I was 16. It was devastating. I felt alone, ashamed, frightened and guilty. I told no one what happened. Over the years, I worked through the abuse and managed to get my life back together. I went to college, got married, had four kids and a successful career. But all the time, feelings of guilt and shame stalked me.”

Three minutes of testimony could never explain the changes to the bill, which sound like arcane updates. They include an attempt to remove a “statute of repose,” a term borrowed from product liability law that had been inserted at the last minute in the bill four years ago by lobbyists from the Catholic Church, making it impossible for older adults who were abused as children to sue the institutions that protected their abusers. The Maryland Catholic Conference’s lobbyist, Robert Zirkin, tried to make it sound like the changes were purely procedural.

But Lorenz, who just retired from a distinguished 40-year-career with NASA, used another part of his three minutes to make clear that the flaws in the 2017 bill weren’t simply procedural but had taken a toll in human suffering, especially upon

those who had shown up to testify in the past.

“Each of these victims was traumatized when testifying. And were re-traumatized when the Maryland General Assembly decided that the concern for institutions outweighs concerns for victims. Most became horribly depressed. Some returned to addictive behaviors and ended up in prison or were hospitalized for addictive behaviors.”

For Lorenz and other survivors whose gut-wrenching stories he was representing, sharing their trauma in such a public way and at such a high personal cost wasn’t strictly procedural. It was a matter of saving children from untold misery.

So when the COVID protocols limited testimony to just one survivor, Lorenz stepped up, knowing from experience that it is only when people hear the stories of survivors of child sex abuse, that the “scales fall from their eyes.”

He could have used his three minutes to explain how since 2017, the emerging science of trauma has changed our understanding of how young brains respond to stress or how a national movement of child-rights advocates has been able to fix statute of limitation laws in more than 30 states that stop victims from coming forward later in life to better reflect that the median age of reporting, which is 52.

Or he could have spent much more of his time expressing his fury and frustration with the institution that harbored his own abuser, a serial molester who had tortured kids at nearly 50 other institutions before he met Lorenz at his high school in Kentucky. There wasn’t time for that in pandemic-era testimony.

Legal reform is slow, tedious work, much of which gets lost in ruined bills and archaic

procedures. As in every social movement, pivotal changes come about when survivors’ stories are heard and the public responds by calling, writing and pressuring their legislators to dig in and face down the powerful institutions that have forever framed the debate.

“Time!” called a voice, interrupting Lorenz as he speedily summed up his hopes that SB134 could give his fellow survivors a shot at justice.

But the pressure on Lorenz didn’t come from a clock or a count-down. It came from the relationships he has built with survivors, many of them stuck in a struggle that started when they were small and voiceless.

So he didn’t stop. Ignoring the instruction to stop speaking, in that moment, he looked at the camera, reaching out beyond the committee with its parsing of words and polite traditions and urged the legislators to read the 200 pages of testimony.

“Because this altered session has silenced our voices, survivors’ public testimony rests with me. I want to say their names,” he said, taking a deep breath.

It is impossible for one man to express the voices of an oppressed multitude in three minutes.

So this man took 30 seconds more, and listed their names.

“At one point in their lives each one of these children thought they were the only one,” he said, pounding his desk for emphasis.

Then he invoked the names of survivors who could not join him: “Becky, Buddy, Caroline, Gloria Jean, Jenna, Curt, Mary, Sarah, Theresa, Elaine, Frank, Mike, David, Bob and Fran...”

In doing so, he emphasized that these are people; not product liabilities. And he also showed us that he was not the only one.