

Understanding Child Sexual Abuse Within Religious Institutions

by Karen Terry*

Editor's Note: This article continues the exploration, begun in a previous issue of SLR, of the obstacles to preventing child sexual abuse when the abuser has contact with the child in legitimate contexts. Dr. Terry examines the difficulty of determining how pervasive child sexual abuse is within various religious institutions, and she outlines the challenges of addressing the abuse.

One of the few institutions in which child sexual abuse has taken place that has been studied extensively is the Catholic Church. Beginning in 2002, and throughout the 2000s, media reports about abuse within institutions focused almost exclusively on the Catholic Church. The impetus for this media scrutiny was the case of John Geoghan in the Boston Archdiocese, which led the Boston Globe to publish a series of investigative articles about abuse by Catholic priests. (See The Globe Spotlight Team, *Church Allowed Abuse by Priest for Years*, *The Boston Globe*, Jan. 6, 2002, available at www.Boston.com/Globe/Spotlight/Abuse/Chronological.htm.) Geoghan allegedly abused more than 130 young boys between 1962 and 1993, but continued to serve in ministry despite reports to his superiors of his abusive behavior. As a result of the media stories about abuse in the Catholic Church, thousands of adults began reporting that they had been sexually abused by Catholic priests when they were minors.

Child sexual abuse occurs most often in institutions where adult offenders are able to position themselves in mentoring and nurturing roles with youths, often with unsupervised access to minors. (K.J. Terry, *Sexual Offenses and Offenders: Theory, Practice, and Policy* (2d ed. 2013).)

Sexual Abuse in Religious Institutions Difficult to Measure

In addition to the organizations discussed in the previous installment of this article (Karen Terry, *Understanding Child Sexual Abuse Within Youth-Serving Organizations*, 16(2) SLR 19 (Feb./Mar. 2015)), such as

schools and sports organizations, religious organizations are one place in which the interactions and trust between adults and children can be exploited by the adult. (For information about child sexual abuse in the Catholic Church, see K.J. Terry, *Stained Glass: The Nature and Scope of Sexual Abuse Crisis in the Catholic Church*, 35(5) *Crim. Just. & Behav.* 549-69 (2008).) Other than the Catholic Church, which has been written about extensively (see K. Terry & L. Litvinoff, *Child Maltreatment in the Context of Religious Organizations*, in *Child Maltreatment* (D.L. Chadwick ed., 4th ed. 2014)), there have been reports of abuse in institutions of every other religion, although the extent of the abuse is not easy to measure.

Child Sexual Abuse by Protestant Clergy Difficult to Document, Binghamton Press & Sun-Bull., 2007, available at http://StopBaptistPredators.org/article07/Child_Sex_Abuse_By_Protestant_Clergy.html.) GuideOne reported annually over the past five years the companies paid approximately \$4 million for child sex abuse and sexual misconduct settlements, excluding attorney fees. Brotherhood Mutual reported that about \$7.8 million in claims have been paid in the last 15 years for sexual misconduct and child sexual abuse cases. French estimates that 260 reports of abuse of minors by clergy, church staff, volunteers, or congregation members are made annually. (French, *Three Insurers*

Brotherhood Mutual reported that about \$7.8 million in claims have been paid in the last 15 years for sexual misconduct and child sexual abuse cases.

Protestant. Unlike the Catholic Church, which is a single hierarchical organization, Protestant denominations have autonomous organizational structures and varied reporting systems. As such, it is difficult to identify the true extent of abuse. However, some scholars have estimated that 10% of Protestant clergy have been involved in sexual misconduct and about 2% or 3% have sexually abused children. (W.A. Donohue, *A Review Essay of Philip Jenkins's Pedophiles and Priests*, Catalyst Online, May 1996, available at www.CatholicLeague.org/catalyst.php?year=1996&month=may&read=61.)

Reformation.com, a website (now discontinued) that catalogued newspaper articles about Protestant ministers alleged to have sexually abused children, listed 838 ministers in 2010.

Another way to estimate the extent of abuse is to review insurance claims. Three insurance companies provide the majority of liability coverage to 165,000 U.S. Protestant churches, and two of the three insurance companies released information regarding legal claims. (W. Moyer,

Shed Light on Protestant Church Sex Abuse, *The Houston Chron.*, 2007, available at http://StopBaptistPredators.org/article07/Three_Insurers_Shed_Light.html.)

Southern Baptist. In 2008, Time magazine published an article stating that the Baptist Church failed to implement a "pedophile" database. (L. Fitzpatrick, *Top 10 Underreported Stories of 2008*, Time, 2008, available at www.Time.com/Time/Specials/2008/Top10/Article/0,30583,1855948_1861760_1862212,00.html.) The magazine article identified this as one of the top 10 underreported new stories in 2008, noting that media headlines about child sexual abuse remained largely focused on the Catholic Church. The website StopBaptistPredators.org, an affiliate of the Survivors Network for those Abused by Priests (SNAP), tracks the names of ministers who have been alleged to have committed sexual misconduct against children and acts as an information and resource center for interested parties.

See UNDERSTANDING, next page

*Karen Terry is a professor at John Jay College of Criminal Justice in the Department of Criminal Justice. She has a Ph.D. in Criminology and the focus of her research is sexual offending and victimization.

UNDERSTANDING, from page 35

Episcopalian. In 1991, the church was required to pay \$1.2 million in damages to a victim of sexual misconduct, as the court found it had concealed the case of abuse. (T. Watanabe, *Sex Abuse by Clerics: A Crisis of Many Faiths*, L.A. Times, Mar. 25, 2002.) Though this case involved sexual misconduct of an adult, it led to the establishment of formal policies on all types of sexual abuse, including training, guidelines, videos, and discussions about abuse. The Episcopalian Church requires that all staff and volunteers who work with children participate. Furthermore, the church reports the names of priests suspended or dismissed in their annual yearbook and informs congregations of priests' misconduct. The Episcopal Church's policies and

of abuse, the abuser can be reappointed to authority positions within the organization. Critics of the Jehovah's Witnesses, many of whom have been expelled for speaking out against child sexual abuse policies, claim that these current policies protect abusers. (Goodstein, *supra*.)

One website designed to provide victim support for Jehovah's Witnesses reports that the names of more than 23,000 people accused or found guilty of sexual abuse are listed in the church's database. Information in the database includes details of the abuse, ages of victim and abuser, whether the abuse was reported to secular authorities, and the actions of the elders. (Silent Lambs, www.SilentLambs.org.) The Silent Lambs website has collected more than 5,000 witness statements, primarily from girls and young women, asserting that the

the Mormon Church have kept child sexual abuse outside the public eye.

One study of Mormon women who were survivors of childhood sexual abuse discussed the negative experiences they faced by church leaders when they reported abuse. (K.E. Gerdes, et al., *Adult Survivors of Childhood Sexual Abuse: The Case of Mormon Women*, 11(1) *Affilia* 39-60 (1996).) They described the bishop as "judgmental," "unbelieving," or "protective of the abusers," and many felt guilt or frustration as a result of being admonished by their church leaders to forgive the abusers. Five of the women were either disfellowshipped or excommunicated for behavior related to their abuse, and only three of the abusers were disciplined. Some abusers remained in good standing even after they were legally convicted. (Gerdes, et al., *supra*.)

More than 40 plaintiffs have alleged that church officials knew of molestation or ignored the warning signs and failed to notify the families or authorities. (S.R. McCann, *Clergy Ignores Victims, Allege LDS Plaintiffs*, The Salt Lake Trib., 1999, available at LEXIS.) Many cases, however, are not reported or adjudicated, and confidential settlements shield the LDS from publicly disclosing more details of the claims. Since 1989, LDS has provided training for their clergy, and by 1995 they established a 24-hour hotline for bishops to access information and advice on child sexual abuse allegations. (Transcript of interview with LDS Church officials, The Salt Lake Trib., 1999, available at LEXIS.)

Jewish Community. There is no empirical evidence regarding the prevalence of sexual abuse in the Jewish community. Information about abuse has come from media reports, survivor accounts, and advocacy websites. (See www.TheJewishWeek.com, www.TheAwarenessCenter.org, www.SurvivorsForJustice.org.) The Awareness Center lists names of known abusers, while the Survivors for Justice website notes that "the sexual abuse of children is at alarming proportions within our community."

The Jewish community has its own system of oversight (rabbinical courts) for negative behavior, including sexual abuse, and the Orthodox Jewish culture disapproves of involving secular agencies in family and business matters. (K. Melloy, *Ultra-Orthodox Jews No Longer Ignoring Child Sexual Abuse*, Edge, 2009, available at www.EdgeBoston.com/index.php?ch=news&sc=&sc3=&id=97689&pf=1.)

See *UNDERSTANDING*, page 47

Allegations of abuse go before a panel of male elders who review the case privately. Reports may be substantiated in one of two manners: The child has two witnesses to verify his/her account or the abuser admits his/her actions.

enforcement surrounding child sexual abuse have served as a model for other mainline Protestant denominations, including the Methodists, Presbyterians, and Lutherans. (Watanabe, *supra*.)

Jehovah's Witnesses. The sexual abuse policies within the Jehovah's Witnesses are largely based on biblical standards: Allegations of abuse go before a panel of male elders who review the case privately. Reports may be substantiated in one of two manners: The child has two witnesses to verify his/her account or the abuser admits his/her actions. In the latter case, if the abuser repents, the congregation is then notified that the individual has been disciplined, although the reason remains confidential. Elders then will report the abuser to headquarters, where the abuser's name will be placed in a database and they will be banned from serving in positions of authority. (L. Goodstein, *Ousted Members Say Jehovah's Witnesses' Policy on Abuse Hides Offenses*, N.Y. Times, Aug. 11, 2002, available at www.NYTimes.com/2002/08/11/US/Ousted-Members-Say-Jehovah-s-Witnesses-Policy-On-Abuse-Hides-Offenses.html.) After 20 years and no confirmed reports

church had mishandled child sexual abuse cases against both congregation members and elders.

By 2007, Jehovah's Witnesses allegedly settled nine lawsuits that claimed their policies shielded men who sexually abused children over the course of many years. (L. Meyers & R. Greenberg, *New Evidence in Jehovah's Witness Allegations*, MSNBC, 2007, available at www.MSNBC.MSN.com/id/21917798/.) The church settled without admitting wrongdoing. Though the amount was officially undisclosed, news reports stated that one victim received nearly \$800,000 in compensation. (Meyers & Greenberg, *supra*.)

Mormons. Although no estimates of abuse within the Church of Latter Day Saints (LDS) have been made public (P. Fletcher-Stack, *Pressure to Forgive Challenges Mormon Families, Divides Wards*, The Salt Lake Trib., 1999, available at LEXIS), one news report claimed that its rates of child sexual abuse are comparable to rates of abuse in society generally (*Bringing Abuse to Light*, The Salt Lake Trib., 1999, available at LEXIS). Critics claim that religious beliefs and practices within

UNDERSTANDING, from page 36

As a result of a strict adherence to this policy, child sexual abuse cases within the Orthodox community have largely been handled by rabbinical courts instead of the criminal justice system, and few abusers are formally investigated, prosecuted, or punished for their crimes. As such, there are no reliable statistics on the prevalence of child sexual abuse within the Orthodox Jewish community.

There are many reasons why Orthodox families do not report child sexual abuse to secular authorities, including strong community pressure; fear it would bring shame to their community and tarnish their family reputation; concern stemming from the stigma of abuse and likely social ostracism following reporting; denial; and repercussions to the entire family, such as being unable to marry daughters and obtain

employment. (M.A. Hamilton, *How Other Religious Organizations Echo the Roman Catholic Church's Rule Against Scandal—A Precept That Entrenches and Perpetuates Cycles of Child Sex Abuse: Church of Jesus Christ of Latter-Day Saints*, 2010, available at <http://Writ.News.FindLaw.com/Hamilton/20100415.html>.)

Prosecutors have been accused of not vigorously pursuing cases in these communities as well, particularly the Brooklyn District Attorney's Office. (R. Kolker, *On the Rabbi's Knee*, N.Y. Mag., 2006, available at <http://NYMag.com/News/Features/17010/>.) As a result of the criticism, the DA's Office created a hotline to report abuse and implemented a program, Voice of Justice, which encourages victims to report abuse and conducts outreach to schools and community centers to discuss abuse. (P. Vitello, *Orthodox Jews Rely More on Sex Abuse Prosecution*, N.Y. Times, Oct. 14, 2009, available

at www.NYTimes.com/2009/10/14/NYRegion/14Abuse.html.)

Transparency in Response Must Be Maintained

Institutional settings provide opportunities for sexual victimization to proliferate, often going undetected or unreported to criminal justice authorities. Sexual abuse of minors is common in institutions in which adults form mentoring and nurturing relationships with adolescents, including schools, religious organizations, sports, and social organizations. Most such organizations have implemented safeguards in the last decade, mandating background checks and creating prevention education and training programs. But the institutions must continue to reduce opportunities for abuse to occur and maintain transparency in how they respond to abuse allegations. ■



Authorized Electronic Copy

This electronic copy was prepared for and is authorized solely for the use of the purchaser/subscriber. This material may not be photocopied, e-mailed, or otherwise reproduced or distributed without permission, and any such reproduction or redistribution is a violation of copyright law.

For permissions, contact the [Copyright Clearance Center](http://www.copyright.com/) at <http://www.copyright.com/>

You may also fax your request to 1-978-646-8700 or contact CCC with your permission request via email at info@copyright.com. If you have any questions or concerns about this process you can reach a customer relations representative at 1-978-646-2600 from the hours of 8:00 - 5:30 eastern time.