

April 8, 2007 - One-year window an opening for justice
Juneau Empire, Alaska, editorial

Time is a sex predator's friend

Empire editorial:

It dims memories, erases evidence and brings the deaths of witnesses. It also used to trigger the statute of limitations, so that victims could no longer file criminal charges or civil suits against those who raped or abused them.

The Alaska Legislature, however, is trying to weaken that alliance between time and perpetrators. It is considering opening a one-year window to allow child victims of sex crimes before 2001 to sue their abusers. Lawmakers have already dropped the statute of limitations on charges and lawsuits for child sex crimes since 2001.

The Roman Catholic Church has put up the strongest fight against this legislation. An attorney for the Alaska Jesuits testified against the bill this week, arguing that judging a case fairly becomes more difficult over time.

Time is a problem, but what the lawyer failed to mention was that it makes it harder for the victim to prove his or her claims. The more time passes, the greater chance that a sex offender gets away unpunished.

Most who deal with sex crimes believe that only a minority of offenders are prosecuted - which is why the Alaska Legislature needs to endorse this measure.

A one-year window for sex-crime suits was approved in California in 2002, and several other states - including Delaware, Illinois, Maine and Minnesota - are considering similar legislation.

Some have argued that allowing such a window will deluge the courts with false allegations of sex crimes.

Fake claims are always a risk in the legal system, but they've proven to be relatively few. One attorney, Patrick Schiltz, who has defended Catholic dioceses in more than 500 sex-abuse lawsuits, said he found fewer than 10 of those cases to stem from bogus claims. Schiltz is a former dean of the University of St. Thomas law school in Minnesota.

There's no reason to shut down a chance for victims to finally see justice because a few will abuse the system.

Many sex-crime victims, particularly in decades past, have not come forward for years because of the fear of being stigmatized, disbelieved or retaliated against, particularly if the perpetrator was an authority figure. For too long, our social system has protected offenders instead of victims.

Opening this one-year window sends a message to those who have suffered childhood molestation: That those in power are on their side, not that of sex criminals.

Taking action against offenders is important not only to those who have been victimized in the past, but also to those who could become victims in the future.

Sex predators are known to be some of the biggest repeat offenders, which is why states such as Alaska have set up sex offender registries. Exposing those who have a history of molestation will likely save other children from facing the same injustices.

It's appalling that the Catholic Church is fighting this effort to expose sex offenders, especially after its much-publicized efforts to cover up sex abuse, and its claims that it is now trying to make right with victims of abusive priests. The church should be leading the effort to expose those who have violated children.

One of the more offensive comments by Jim Gorski, attorney for the Alaska Jesuits, was "At the end of the day ... it's a question of dollars."

No, actually, it's not. It's a question of integrity and justice, which are beyond any price tag. Legislators who care about those two things are going to vote for this measure, giving sex-crime victims a chance to expose their perpetrators and finally put the past behind them.
