



Restorative Justice International  
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March 5, 2019

Senator Jerry Hill  
State Capitol  
Sacramento, CA 95814

RE: SB 360, clergy exemption

Dear Senator Hill:

This letter is to advise you of our support for your legislation, SB 360, requiring clergy members report suspected child abuse. We support SB 360 because no clergy member should be exempt from reporting child sexual abuse or neglect. The rights and safety of children, and adults, from sexual abuse in our society must come first. No one should be protected unduly when the safety of children is at risk.

RJI was encouraged to hear of this legislation because it will close a blatant loophole in the law. Current California statute requires 46 different categories of professionals, including teachers, peace officers, school coaches, physicians and others, who come into contact with children report suspected child abuse or neglect to authorities. SB 360 adds clergy members as mandated reporters of such abuse whereas prior to this legislation since 1997 they were exempt—a glaring error in the law that hurts victims of child sexual abuse and impedes efforts to stop sexual abuse of children. When children are sexually abused by anyone in authority over them especially “clergy members,” or anyone affiliated with a religious institution, then “penitential communication” should not apply especially if it 1) protects the abuser, and 2) protects the church or religious institution that hides the abuse.

Restorative Justice International (RJI) is a national and global association which advocates for victims-driven restorative justice. We are comprised of 6000 members and affiliates that support restorative justice as a means of providing systemic reform our criminal justice system. RJI stresses the need for victims-driven restorative justice which puts the needs of crime victims first by seeking to hold offenders accountable for their actions and providing avenues for healing of crime victims, and communities also injured by crime. Through restorative justice processes offenders are transformed and victims healed, on some level, and communities are safer.

RJI has advocated for victims of institutional sexual abuse and clergy abuse since our founding in 2008. Previously, the founder of RJI advocated for restorative justice in response to the growing global problem

of clergy abuse beginning in 2001 in California through The Justice & Reconciliation Project. Our advocacy efforts on clergy abuse have included academic presentations in New Zealand, contributing to the legislative debate on the right way to respond to victims of clergy abuse before the Australian Parliament, and direct contacts with both the U.S. Catholic Bishops and the California Catholic Conference. Our advocacy efforts have also included working in coalition with victims globally and with other restorative justice experts who support offender accountability through restorative justice. Our views reflect the increasing body of evidence based research showing the efficacy of restorative justice in cases of sexual abuse of children, and adults, and with other violent crimes. Restorative justice holds offenders directly accountable as much as possible which can include the use of victim offender dialogue, when possible, which has proven important for both the victim of abuse as well as the offender.

RJI therefore is in support of SB 360 because we agree that there is a loop hole in the law that has granted clergy an exemption in cases of such serious offenses against children or suspicion of such offenses which are not provided to any of the other professional under statute. In cases of clergy abuse, or suspected abuse, this is a serious fault in the law that must be corrected.

Thank you for authoring SB 360 which has the full support of RJI. If we can provide additional assistance please let us know.

Sincerely,

*Lisa M. Rea*

Lisa M. Rea  
President

cc: Global Advisory Council, RJI