

## Frequently Asked Questions about SB 360

- What is SB 360?

SB 360 is a CA bill seeking to strengthen mandatory reporting requirements for child abuse and neglect. The bill's author believes that to do so he must violate the sanctity of the sacrament of confession and force priests to report certain sins heard in confession.

- How has SB 360 been amended?

SB 360 originally sought to compel priests to reveal confessions of child abuse or neglect in all situations. Through the CA Catholic Conference and local legislative efforts, the bill was amended to create a protected right to privacy for penitential communications made in the sacrament of Confession. The bill now names two groups of people, namely priests and any lay person employed at the same site as a clergy member, who are not protected under this right to privacy during the sacrament of Confession.

- Where is SB 360 in the legislative process?

SB 360 was authored in the CA Senate and passed through committees and a full vote of the Senate body. During that process, the CA Catholic Conference worked with the bill's author and other legislators to offer amendments that would strengthen and clarify child abuse reporting requirements while also protecting the sacred privacy of the sacrament of Confession. Some of these amendments were accepted. Now, SB 360 has stronger reporting requirements, that we ardently support. At the same time, the bill added language to deny the privacy right in Confession to priests and lay people who work at the same location. It has now gone to the Assembly, where it will be heard in committee. If it passes there, it will be eligible for a vote of the entire Assembly by late summer. If SB 360 passes both houses, it will head to the Governor's desk for signature or veto.

- Why do we “oppose 360 unless amended”?

There is much we agree with in SB 360. The bill seeks to strengthen reporting requirements for child abuse and neglect. Some of the language adopted in the amendment to SB 360 was written by the CA Catholic Conference. In addition, the first part of the amendment created a protected right to privacy for the sacrament of Confession. But, the amendment went on to create an exception to this right for two groups of people -- priests and lay people who work at the same location. SB 360 will add language to the penal code. Rather than creating clarity, this exception creates a grey area. No one signs in or is required to state their name for the sacrament, so this reporting requirement is largely unenforceable. Instead, we support strong and clear reporting requirements that will protect children and retain the sanctity of our sacraments.

- Who can sign the oppose letters?

Anyone can sign the letter, but it is best when a constituent of a particular district sends the letter to his or her Assemblymember. One does not need to be a citizen or eligible to vote to sign the letter. Anyone who resides in California has the opportunity to voice his or her opinion about legislation that will affect all CA residents.

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- Will SB 360 protect children?

SB 360 seeks to strengthen reporting requirements for child abuse and neglect. The bill's author believes that to do so requires violating the sacrament of Confession. There is no evidence to the claim that forcing priests to break the seal of Confession will protect even one child. Instead, there is strong evidence that training priests, teachers, parents and children to recognize suspicious behavior, report any and all instances of abuse and neglect, and to prioritize the safety of children is resulting in the dramatic increase of safe spaces for children and families.

- What is the Archdiocese of Los Angeles doing to protect children?

The Catholic Church in CA is by far the most aggressive at training children and adults to remain safe and report suspicious behavior of any other employer. We take every opportunity to create safe environments for children and families. Since 2002, over 300,000 adults in our parishes have been trained to know warning signs and how to report suspicious or inappropriate behavior to authorities. And, hundreds of thousands of children have been trained to recognize warning signs, what to do in case of danger, and who and how to tell if they have been harmed. The structures of our buildings have been altered to create safe spaces for children, and all ministry operations prioritize the safety of children.

- Are priests mandated reporters?

In California, there are 46 classes of mandatory reporters. Priests are mandated reporters when they are in personnel meetings, counseling, on retreats and during spiritual direction, and every other moment, with the exception of the short time during the sacrament of Confession. At any time on our parish and school campuses, there may be dozens of mandatory reporters, including teachers, nurses and doctors, counselors and therapists, and others who work in public professions. Working together to be vigilant and keep children safe, our Catholic community supports healthy environments for all children and families.

- How is SB 360 an attack on religious freedom?

SB 360 seeks to create strong reporting requirements for child abuse and neglect but does so by attacking the inviolable right to privacy in Confession. The first amendment guarantees our right to practice our faith free from government interference, but this is exactly what SB 360 seeks to do--define what confession is and who can and cannot access the right to privacy during the sacrament. Should SB 360 become law, it sets a dangerous precedent that the state can determine when and in what situations religions can practice according their faith.

- Why is SB 360 bad for the community?

SB 360 creates unenforceable reporting requirements for child abuse and neglect in the CA penal code. Rather than strengthen laws regarding child abuse, this bill creates a grey area. The practice of the sacrament of Confession does not require a penitent to sign-in or provide a name or occupation. Yet, this is exactly the information SB 360 seeks to use to determine whether the privacy protections of the law apply or not. Instead, we support strong, clear supporting requirements that would truly create safety for children.

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- How would SB 360 affect my confession?

SB 360 may not affect your confession. We know the law is largely unenforceable. Further, we know that the penalty for priests who violate the seal of confession is excommunication -- something priests will not risk, and some have even given their lives for. At the same time, if SB 360 passes, it creates doubt in the minds and hearts of many Catholics. They begin to wonder if priests can be compelled to divulge some sins told to them in confession, then they could be compelled to tell them all. This could lead to a chilling effect on some Catholics who would lose the healing grace of the sacrament of Confession.

- What do we say to people who are afraid to go to confession?

With all of the discussion of SB 360, some people have expressed fear of going to Confession. First, it is important to remember that SB 360 is just a piece of legislation. It is not law. So, for now, Confession is exactly the same as it has always been. Further, we know that the state has no jurisdiction over our practice of our faith. The Catholic Church forbids priests from repeating anything that they hear in Confession, on penalty of excommunication. That will never change. Should SB 360 become law in California, our priests and bishops are committed to offering the sacrament of Confession as it is intended, no matter the civic consequences.

- Are priests really willing to go to jail to protect my confession?

Should SB 360 become law in California, priests and bishops will be required to uphold the inviolate dignity of the seal of Confession, as they always have, or risk excommunication. We don't know whether that will happen, or whether it will ever come to priests having to face the choice of going to jail or being excommunicated. However, the more we make our voices heard in opposition to SB 360 now, the better chance we have of prevailing. And, the more we pray for our priests, the more they will be strengthened in their ministry every day, even in times of great difficulty.