

Testimony on HB 1284

Glendon Philbrick, Advocate for survivors of child abuse and friend to survivors of child abuse.
glen.philbrick@gmail.com

Thank you for the opportunity to testify against the enactment of HB 1284.

There are multiple reasons why this bill should receive a **do not pass** vote from the Judiciary Committee.

- 1). Limiting liability for charitable organizations who have engaged in negligent or criminal behavior, creates an unfair environment for everyone else. Any other citizen is subject to unlimited liability.
- 2). Charitable organizations who have engaged in negligent or criminal behavior, are tax exempt, giving them financial advantages over North Dakota citizens, including citizens they have been wronged.
- 3). Having served in a capacity to report child abuse and assist in reporting child abuse, I discovered the charitable organizations who have engaged in negligent or criminal behavior, declare war on victims of child abuse and do all they can to cause further harm. I know too many clergy who were chastised by their superiors for reporting abuse or removed from their duties for reporting abuse. The top tier of leadership are child victim's worst enemy.
- 4). Upon the release of names of clergy suspected of child abuse by the Catholic Church from the Diocese in Bismarck, press attempted to interview one of the living priests. As of 2021, one of the suspected priests was living at the Assumption Abbey in Richardton. The Diocese takes excellent care of their priests. This is a red flag. Why does a suspected priest receive such excellent care yet victims can only receive justice through litigation?
- 5). Victims are already at an unfair advantage because they are children, they are vulnerable, easily manipulated, scared, and the perpetrators do all they can to harm them. Statute of limitations have further provided an advantage to charitable organizations.
- 6). Examine the financial assets of the charitable organizations. The IRS has this information. Charitable organizations have more assets and access to legal counsel than victims do.
- 7). Charitable organizations who have engaged in negligent or criminal behavior, including churches, and the Boy Scouts of America, have a history of covering up child abuse. Providing a limitation is only condoning the bad behavior.
- 8). The limitation excludes the reality that losses can exceed the limit. What if a victim of negligence through an accident caused by a charitable organization needs long-term care? Long-term care costs in excess of \$100,000 per year. The ethical action for the charitable organization who have engaged in negligent or criminal behavior to take is to pay for all financial losses, not matter what the cost.

9). Limiting liability for charitable organizations who have engaged in negligent or criminal behavior, is just another reward to their bad behavior.

In summary, limiting liability for charitable organizations is just another slap in the face to victims of both negligence and crimes. Why any organization or member of the legislature wants to put a limit on damages associated with the sacred lives of children is concerning and proof that lives of children do not matter.

Thank you for the opportunity to submit written testimony. I am happy to visit with members of the committee or answer follow up questions. My email address is glen.philbrick@gmail.com.

I urge members to recommend **“do not pass”** as to HB 1284.

Glendon Philbrick