



SAFE ENVIRONMENT OFFICE ARCHDIOCESE OF NEW YORK

Intro. 371 -- *Limited Services Pregnancy Centers*
New York City Council Committee On Women's Issues
Testimony By Edward T. Mechmann, Esq., Director
Tuesday, November 16, 2010

Good afternoon. My name is Edward Mechmann, I am the Director of the Safe Environment Office of the Archdiocese of New York, which is responsible for overseeing programs in our parishes, schools, and institutions to protect children from sexual abuse. I also work with the Respect Life Office of the Archdiocese on public policy programs.

I am here to speak in opposition to Intro. 371. I join in the statements of others who oppose this unfair and discriminatory bill. I would like, however, to raise a particular objection, because this bill will prevent the staffs of pregnancy resource centers from protecting young women from being sexually abused and exploited.

We must bear in mind the connection between teenage pregnancy and abuse. In the City of New York, there are over 8,000 pregnancies each year where the mother is below the age of 18. Studies show that a majority of pregnant teens are victims of sexual and physical abuse, and a large majority of teenage pregnancies are the result of sexual activity with adult men.

A significant percentage of the women who come to pregnancy resource centers are teenagers, a large number of whom are thus likely to be victims of sexual abuse. Yet this bill would prevent the staffs of centers from protecting these teenagers from further abuse.

The confidentiality provision of Intro. 371 requires the centers to obtain consent from a client before they can disclose any information to any outside party. But a teenager cannot legally give consent – only a parent or guardian can do so. Since many of the teens come to the centers without a parent, there is no way to obtain that consent. Intro 371 does permit a disclosure without consent if it is "required by operation of law". This would permit a mandated reporter under state law to report the abuse to the authorities. However, few among the staffs of the centers are mandated reporters, so this exception would not apply to them.

As a result, the staff will be faced with an impossible dilemma – having learned of child abuse, even rape, they cannot report it to the authorities without exposing themselves to heavy fines and a civil lawsuit. They cannot even notify the teen's parents, so that they can intervene to help her. Instead of stopping the abuse, the staff would have to remain silent and send these women back to their abusers.

This is an intolerable result. Surely, it cannot be in the public interest to pass a law that would shield child sexual abusers from exposure and prosecution.

For this reason, in addition to the other reasons cited by other witnesses, I urge you not to pass this gravely flawed and dangerous bill.