

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

EDUCATION COMMITTEE HEARING

STATE CAPITOL
HARRISBURG, PA

MAIN CAPITOL BUILDING
ROOM 140

WEDNESDAY, SEPTEMBER 19, 2012
1:11 P.M.

PRESENTATION ON HB 2318
CHILD EXPLOITATION AWARENESS

BEFORE:

HONORABLE PAUL I. CLYMER, MAJORITY CHAIRMAN
HONORABLE WILL TALLMAN
HONORABLE JAMES R. ROEBUCK, JR., DEMOCRATIC CHAIRMAN
HONORABLE KEN SMITH

ALSO IN ATTENDANCE:

HONORABLE MAUREE GINGRICH

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*Pennsylvania House of Representatives
Commonwealth of Pennsylvania*

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COMMITTEE STAFF PRESENT:
DUSTIN E. GINGRICH
MAJORITY EXECUTIVE DIRECTOR
JONATHAN D. BERGER
MAJORITY RESEARCH ANALYST
EILEEN R. KRICK
MAJORITY LEGISLATIVE ADMINISTRATIVE ASSISTANT
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DEMOCRATIC COMMITTEE SECRETARY
TIMOTHY KELLER
DEMOCRATIC INTERN

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P R O C E E D I N G S

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MAJORITY CHAIRMAN CLYMER: Well, good afternoon, everybody, and welcome to today's House Education hearing.

Today's hearing is a very interesting one, a very thoughtful one, on HB 2318, which will allow school districts to incorporate child exploitation awareness education into the public school curriculum.

As we know, the sexual exploitation of children permeates across the State into every State. There are no boundaries. Innocent, defenseless children, gifts from God, are routinely sexually abused by predators, predators well known to their victims, who then threaten their victims to secrecy and fear, creating an even more horrible trauma and nightmare for these abused children.

Stripping these young children of their childhood dreams and playtime fantasies is both unconscionable and despicable. Today, in a bipartisan spirit, we will endeavor to put these child predators on notice that these heinous crimes will no longer be tolerated.

I applaud Representative Gingrich on spearheading this issue and look forward to hearing from our distinguished panel of testifiers.

I now recognize my friend and colleague, Co-Chairman of the House Education Committee, Chairman Roebuck, for

1 remarks.

2 MINORITY CHAIRMAN ROEBUCK: Thank you, Mr. Chairman.

3 I certainly concur in your initial comments, and I
4 think the topic we're dealing with is of major importance. I
5 look forward to shaping legislation that will deal with the
6 issue of child exploitation awareness and providing another
7 level of protection for young children, those who are most
8 vulnerable and for whom we have the responsibility to ensure
9 that they are protected within our society.

10 So I look forward to the presentations, and I thank
11 Representative Gingrich for advancing this legislation.

12 Thank you, Mr. Chairman.

13 MAJORITY CHAIRMAN CLYMER: Thank you for those
14 timely remarks.

15 At this time, the Chair does recognize
16 Representative Gingrich, the prime sponsor of HB 2318, for
17 remarks. Representative Gingrich.

18 REPRESENTATIVE GINGRICH: Thank you, Mr. Chairman.

19 Thanks to both Chairmen for arranging this hearing
20 today. I appreciate your support. I thank all legislatively,
21 and I appreciate everyone being here today to share in our
22 effort to protect our children from child abuse. I can't think
23 of a more important thing to do today than that.

24 We have some incredible people -- I call them heroes
25 -- that are going to share with us today. There are a lot of

1 heroes we know about, there are a lot of heroes that you never
2 see or realize what they're doing, but we all know that
3 preventing child abuse is a community effort. It's no one
4 person's effort. It's going to take us all.

5 You're going to hear some information today that you
6 may find a little shocking. I know I certainly did. The
7 statistics are on that chart over there. That's sad enough.
8 One in seven boys and one in four girls will experience sexual
9 child abuse. That's generally rape. So we're going to talk in
10 real terms today. Whether we're a little uncomfortable with it
11 or not, it's important conversation, and we can help these
12 kids.

13 These kids, as a child, they don't have any
14 understanding of what's happening to them. Over 90 percent of
15 the time, the experience, this horrific experience, is with
16 someone they know, trust, and very oftentimes love that
17 individual.

18 They're also an open field for predators who know
19 their naivety and their innocence, know that kids won't
20 recognize any of their grooming techniques or their testing
21 techniques that will get kids to the level where they can
22 manipulate them. That's what we're talking about. Kids don't
23 have those skills. They don't know how to verbalize that, and
24 they're afraid to tell anyone, that probably no one will
25 believe them.

1 But you don't have to listen to me. You're going to
2 hear from people who know that for a fact. My job is to tell
3 you specifically what is in HB 2318, which I have sponsored and
4 introduced and hopefully will be voted on next week. What it
5 does is it incorporates child exploitation awareness
6 information -- now, we all know what that is -- into the health
7 curriculum here in Pennsylvania.

8 I want you to remember as we talk today, this bill
9 is not at all focused on the predator -- not at all. There is
10 other work going on that's important and deals with that. And
11 the Governor's report on the investigation, mandated reporting,
12 and all of the Judiciary side of these things will happen as
13 well. This is a critically important piece that starts where
14 it needs to start, and that's with the child.

15 So this will be age-appropriate information. It
16 will be taught in our public schools in Pennsylvania. It will
17 educate kids -- and by the way, it will be K through eighth
18 grade -- and it will educate kids about the risks and how to
19 recognize those signs of the grooming, the testing, that first
20 inappropriate behavior. They'll recognize that before abuse
21 actually takes place. That's our hope and our wish.

22 So we can only arm them with knowledge, and I think
23 maybe after today's testimonies you might agree with me that
24 now is the time and this is the way to do it. And thank you,
25 Mr. Chairman. I'm as interested as you are in hearing the

1 testimony before us.

2 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
3 gentlelady.

4 And our first guest testifier today is
5 Carolyn Dumaresq, and she is the Deputy Secretary for
6 Elementary and Secondary Education with the Pennsylvania
7 Department of Education.

8 Welcome, Carolyn.

9 DEPUTY SECRETARY DUMARESQ: Thank you.

10 Good afternoon, Chairman Clymer, Chairman Roebuck,
11 Representative Gingrich, and other distinguished Members of the
12 House Education Committee. I welcome the opportunity to come
13 to speak with you today to discuss the department's role in
14 advancing this effort.

15 As was said, I'm Carolyn Dumaresq. I'm the Deputy
16 Secretary for Elementary and Secondary Education with the
17 Department of Education, and the focus of our conversation
18 today, as has been said, is one that should be of great concern
19 to all of us, which is the safety and well-being of our
20 children.

21 Protecting children from exploitation should come
22 from many types of interventions, and as I was walking over
23 today and thinking about my comments, I thought how
24 appropriately this Legislature has attacked this very, very
25 important issue.

1 We first have done a more stringent background check
2 for employees in school districts, which will keep known
3 predators from the buildings where our children are educated.

4 Secondly, you have recently enacted the Child Abuse
5 Recognition and Reporting Training Act, Act 126, which has
6 required the Department of Education, through the Office of
7 Safe Schools, to work with the Department of Welfare to review
8 and approve courses to provide training to school personnel,
9 including those who work in nonpublic and private schools.
10 This training is for all school employees and contractors so
11 that they can obtain information on how to identify and
12 properly report child abuse.

13 Within the next few weeks, the department will post
14 Act 126 training information on our Standards Aligned System
15 Website. The site will provide schools with the guidance on
16 training, a listing of approved training providers, course
17 details, and related fees. We will also have a question and
18 answer -- Fast Facts, if you will -- about the act's training
19 requirements, and districts will be able to contact our Office
20 of Safe Schools if they have additional questions or
21 information on that act.

22 While Act 126 focuses on giving information to the
23 providers of services to children to accurately identify and
24 report instances of child abuse, this HB 2318 provides a much
25 different type of intervention, as it will focus on the child.

1 This bill charges the Department of Education to work
2 cooperatively with organizations in the development of a model
3 curriculum that school districts may incorporate into existing
4 health curriculums.

5 The focus of the curriculum would, with
6 age-appropriate material, help children to become aware of the
7 signs of child abuse and to learn how to properly report it to
8 a responsible adult. This also gives the silent victims a
9 voice and the courage to come forward to self-report. But even
10 more important, the knowledge that these types of prevention
11 programs offer can help children to gain the skills in
12 preventing child abuse.

13 As the bill encourages, the department will work
14 with other agencies to identify or develop age-appropriate
15 curriculum and materials in schools. We will also strive to
16 find materials and resources that are free to incorporate into
17 the frameworks that are developed.

18 I have two minor concerns that I would like to bring
19 to your attention. First is the use of "annual health
20 curriculum framework for students in kindergarten through
21 eighth" and the "annual health curriculum."

22 State Board of Education curriculum regulations
23 already require health education to be provided to every
24 student in grades K through 6. This is a mandate that is
25 taught annually. Health education, though, is only provided

1 once in the middle school programs 7 through 9, but not every
2 year. Since instruction is not required annually in the middle
3 school program, we don't want to incur additional expenses by
4 adding an additional mandate. As a result, the department's
5 recommendation would be to remove the word "annual." And
6 again, remember, it must be taught K through 6 -- there is a
7 mandatory health requirement K through 6 -- and once in the
8 junior high schools.

9 And we would also like some flexibility to develop
10 guidelines instead of curriculum, and let me describe what I
11 mean by "guidelines" so they're not a sign of an amorphous
12 content. We already mandate a State health curriculum for
13 children in elementary and once in middle school. What we
14 would like to do is develop a robust set of guidelines that
15 have mandated content and materials that would be used to embed
16 in the existing curriculums.

17 This also would allow school districts, especially
18 once they've gone to this mandatory training on how to
19 recognize child abuse, school districts to identify the
20 appropriate adult to deliver this information to students. In
21 some cases, as a superintendent of two school districts, and I
22 reflect back on the faculties that I had, I'm not always sure
23 that my phys ed and health teacher would be the ones that I
24 think would be most sensitive in delivering to K-3 children. I
25 might want my school nurse. I might want a professional

1 educator, a classroom teacher, to deliver that. So I would
2 like the flexibility to make sure that through very rigorous
3 guidelines that would have to be embedded as content, that the
4 districts are allowed the flexibility to decide the deliverer
5 of that program.

6 So the other concern that I have is stating that "a
7 student shall be excused from all or parts of the child
8 exploitation awareness." What I would hope we could add into
9 that would be, they could be excused but only after the parent
10 or guardian has reviewed the materials so that they can make an
11 informed decision. I would not like to have, as we do with our
12 textbooks and other materials, parents view them first and then
13 make decisions on their personal beliefs whether they want
14 children to be excused.

15 They're the only two concerns, and we look forward
16 to working with you as we move forward to implement this should
17 this become law. I'd be happy to answer any questions.

18 MAJORITY CHAIRMAN CLYMER: The Chair thanks you for
19 that very good testimony.

20 You really touched on the one question that I had,
21 and that is the implementation. Because it is of such a
22 sensitive nature, when you have 500 school districts, each one
23 is going to have to make absolutely certain they have the right
24 person there to teach this information.

25 If for some reason the school has difficulty, for

1 whatever reason, in providing this information, the person who
2 has been assigned to teach the students, if that person is not
3 working out, that would be noticed by the administration, that
4 they would sense that this is not going down well?

5 DEPUTY SECRETARY DUMARESQ: Yes.

6 MAJORITY CHAIRMAN CLYMER: I'm looking for some type
7 of guidelines to say if that person who has been trained is
8 still not getting the job done, there is a red flag that would
9 go up to indicate we have to stop this process and reexamine
10 what is occurring.

11 DEPUTY SECRETARY DUMARESQ: Yes. I can speak only
12 from my own experience. Before I would make the decision as an
13 administrator on who to assign this very sensitive content to,
14 I would have had a thorough conversation with that
15 professional. I would make sure they were comfortable. We
16 would have done model lesson plans.

17 This is not the type of material that, especially as
18 you're trying to keep faith with your community and with your
19 parents, that you allow anyone to teach. You make sure you
20 have the right person in front of the children.

21 MAJORITY CHAIRMAN CLYMER: The Chair recognizes
22 Chairman Roebuck.

23 MINORITY CHAIRMAN ROEBUCK: Thank you, Mr. Chairman.

24 I actually have three questions. The first is, the
25 language of the bill is a "may" provision, not a "shall." And

1 I understand the issue of mandates, but are there not some
2 things that are so imperative, so essential, that they ought to
3 be required, not allowed? I would like to see, I would think
4 this is one of those things that ought to be a "shall," not an
5 optional provision for school districts.

6 DEPUTY SECRETARY DUMARESQ: Well, I can respond to
7 that by saying that there already is a "shall" as far as
8 mandating health curriculum. Perhaps what the Legislature's
9 intent is that you must include this in the already mandated
10 health curriculum or in your curriculum in the K through 6 and
11 once in your 7 through 9. Perhaps that's a nice compromise.

12 MINORITY CHAIRMAN ROEBUCK: Okay.

13 The other issue is that, if I'm understanding, and I
14 heard the prime sponsor of the legislation indicate that this
15 is a program that is to be applied to public schools. But the
16 reality is, child abuse is not exclusively a problem in public
17 schools; it's very much a problem in nonpublic schools. Is
18 there any prohibition that would prohibit requiring this of all
19 schools in Pennsylvania?

20 DEPUTY SECRETARY DUMARESQ: We are requiring the
21 training of all schools in Pennsylvania. So if we can require
22 the training in all schools, as in the previous act that I
23 mentioned, you would need obviously to check with your -- they
24 always told me as a superintendent, check with your solicitor.
25 But I'm sure that your staff could let you know whether there

1 would be a prohibition. We're mandating the training; I think
2 we could mandate the curriculum.

3 MINORITY CHAIRMAN ROEBUCK: Then the final thing is
4 a question which was raised by your comment about parental
5 review, that parents can opt their kids out of the program.
6 But if the parent is the abuser, how does this then protect
7 that child?

8 DEPUTY SECRETARY DUMARESQ: It doesn't.

9 MINORITY CHAIRMAN ROEBUCK: Maybe that's something
10 we ought to look at, because, I mean, it seems to me that
11 that's a very real problem, if indeed the person who is the
12 abuser has the option of taking away the protection, as implied
13 by, that's embodied in this legislation.

14 Thank you.

15 MAJORITY CHAIRMAN CLYMER: The Chair thanks
16 Chairman Roebuck for those questions.

17 I do want to acknowledge that we have other Members
18 here on the committee: Representative Tallman, and you're
19 going to hear from him shortly; Representative Smith over to my
20 left; staff person Judy Smith; Eileen Krick; my Executive
21 Director in blue, and Jonathan Berger in grey sitting there.

22 At this time, the Chair recognizes Representative
23 Tallman for questions.

24 REPRESENTATIVE TALLMAN: Thank you, Mr. Chairman.

25 Just real quick. Can I ask the maker of the bill a

1 question? I don't know if that's appropriate. And it's going
2 to relate to what the Secretary---

3 REPRESENTATIVE GINGRICH: We're not on the floor,
4 but, Mr. Chairman, I would be happy to acquiesce.

5 REPRESENTATIVE TALLMAN: I haven't done this before,
6 asked the maker of the bill, not sitting in front of us anyway.

7 MAJORITY CHAIRMAN CLYMER: Move forward with your
8 question.

9 REPRESENTATIVE TALLMAN: The concerns that the
10 Secretary had with the, and I'm going to say middle school,
11 though it may not apply, I'm going to say the junior high
12 7 through 9 curriculum, what was your intent? Do you want that
13 to be every year, or do you -- I'm not sure exactly what your
14 intent is there.

15 REPRESENTATIVE GINGRICH: Thank you, Representative
16 Tallman. Very nice to see you again.

17 That is what the Deputy Secretary and I were talking
18 about even this morning at the press conference and so on.
19 They've been a pleasure to work with as far as me understanding
20 the reality of how to do this in the schools. That's what
21 she's talking about when she says to remove the annual, because
22 they do not do it annually beyond -- what is it, sixth?

23 DEPUTY SECRETARY DUMARESQ: Sixth grade.

24 REPRESENTATIVE GINGRICH: Sixth grade. So seventh
25 and eighth, which are included in the language of the bill and

1 the age range that we really want to focus in, can be handled
2 and will be handled if I remove the language I had limiting
3 them. So that's already worked out.

4 REPRESENTATIVE TALLMAN: All right. I like that.
5 Proactive.

6 REPRESENTATIVE GINGRICH: I thought you'd like that.

7 REPRESENTATIVE TALLMAN: Thank you, Madam Secretary,
8 for being here.

9 Just a real quick question. You had talked about
10 the staff delivering this instruction.

11 DEPUTY SECRETARY DUMARESQ: Yes.

12 REPRESENTATIVE TALLMAN: You said it may not be the
13 phys ed or the health teacher; someone that you would feel more
14 comfortable with. And so my question to you is, we have lots
15 of professionals outside the school, and I'm thinking child
16 psychologists, pastors, and those people. However, they're not
17 certificated. How would you, if you're going to broaden that
18 and we're going to teach outside the certification anyway, do
19 you see allowing a noncertificated person -- a professional --
20 teach this?

21 DEPUTY SECRETARY DUMARESQ: Yes. That's why it's
22 important not to mandate it be part of a curriculum, because
23 once you mandate a curriculum, then it becomes a curriculum
24 that is governed by a certification. So guidelines that are
25 robust and very clear allow a district to then find the best

1 professional to deliver that content.

2 REPRESENTATIVE TALLMAN: Thank you, Mr. Chairman.

3 MAJORITY CHAIRMAN CLYMER: The Chair thanks him for
4 his questions.

5 The Chair recognizes Representative Smith for
6 questions.

7 REPRESENTATIVE SMITH: Thank you, Mr. Chairman.

8 Madam Secretary, I came in a little late, and I
9 might be beating a dead horse here, but I just want to be sure
10 that this bill, when it's enacted, will be a mandate on all
11 500 school districts throughout Pennsylvania. Am I correct?

12 DEPUTY SECRETARY DUMARESQ: You would need to change
13 the word "may" to "must," and my recommendation would be that
14 you say the content must be covered and allowing the
15 flexibility to whether it be, as I have said, in a curriculum
16 and delivered through another professional in the district.

17 REPRESENTATIVE SMITH: Okay.

18 DEPUTY SECRETARY DUMARESQ: The guidelines would
19 spell out the content that must be covered, so there would be
20 mandatory guidelines.

21 REPRESENTATIVE SMITH: Okay. So we have to change a
22 little bit of the language---

23 DEPUTY SECRETARY DUMARESQ: Right.

24 REPRESENTATIVE SMITH: ---to make sure that it goes
25 from "may" to "must" in an amendment. All right.

1 My other question is this: During these times of
2 cutbacks, financial cutbacks to the school districts, I get
3 many calls from the school districts which I represent that
4 they're at wits' end and they've made every cut that they
5 possibly can. Will this be a financial burden to the school
6 districts? At the end of the day, is it going to cost them
7 more money?

8 DEPUTY SECRETARY DUMARESQ: I would say no, because
9 the department is going to be developing the content, the
10 mandatory subjects, and delivering materials, and we hope, as I
11 said, to find free resources. I know there are many agencies
12 that the department, as we have found with the other bill that
13 we are implementing, there are many agencies that already have
14 materials provided. So we'll be vetting those materials and
15 providing that to the districts.

16 There already is a requirement, K through 6---

17 REPRESENTATIVE SMITH: Right.

18 DEPUTY SECRETARY DUMARESQ: ---a mandatory health
19 requirement that must be given. The districts could decide to
20 embed that content inside the already curriculum, looking at
21 what they already have and moving content around. Or they
22 could decide that this is something that's more appropriately
23 given to the school nurse or to another professional. If in
24 fact they do that and they have to bring a sub in or something,
25 yes, that would, but that would be a district's choice to do

1 that.

2 REPRESENTATIVE SMITH: Right. Or if a district had
3 to do an RFP for---

4 DEPUTY SECRETARY DUMARESQ: An outside agency.

5 REPRESENTATIVE SMITH: ---a child psychologist or
6 something to that effect.

7 DEPUTY SECRETARY DUMARESQ: Exactly.

8 REPRESENTATIVE SMITH: Okay.

9 DEPUTY SECRETARY DUMARESQ: But we'd like to offer,
10 while we're focused on the content that has to be delivered,
11 we'd like to open up the delivery system.

12 REPRESENTATIVE SMITH: Okay. Thank you.

13 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
14 gentleman and recognizes the prime sponsor of the bill,
15 Representative Gingrich, for a question.

16 REPRESENTATIVE GINGRICH: Thank you, Mr. Chairman.
17 Thank you, Madam Secretary. Are you tired of
18 talking with me yet?

19 DEPUTY SECRETARY DUMARESQ: Never; never.

20 REPRESENTATIVE GINGRICH: Because we've talked about
21 this a lot, and you really do understand the bill. You really
22 do understand the mission. So I'm comfortable---

23 DEPUTY SECRETARY DUMARESQ: Well, I believe in the
24 mission. That's even more important.

25 REPRESENTATIVE GINGRICH: We feel that. Thank you

1 very much. We all do, and that's why we're here today.

2 And you've heard almost the same question from
3 everybody, so we want to make sure we're clear as crystal,
4 although I own very little crystal, that we're going to see
5 this done. That's what everybody in this room cares about.
6 We're straight talkers.

7 DEPUTY SECRETARY DUMARESQ: Yes.

8 REPRESENTATIVE GINGRICH: We want to work with you.

9 A legitimate question from my colleague at the far
10 end, Representative Smith, but I don't think I could put a
11 price tag on our children being better prepared than they have
12 been thus far. So I'm going to even remove that from my
13 equation.

14 But thank you for that answer. There are a lot of
15 people going to be more comfortable knowing that we can do
16 this. We have tons of experts out there that have been doing
17 this and working with schools and trying to get in schools and
18 trying to make this happen, so now we'll all be working
19 together, as I understand it.

20 I want to make sure that with this bill there is no
21 redundancy and something is going to change, because I'm with
22 you. I understand. I know the regs. I know that this is
23 required now as part of the health curriculum. I know that a
24 smattering of schools, and I had the opportunity to talk to
25 someone this morning from a school somewhere in this region

1 that I hadn't talked to, and they actually had a good program.
2 They had something going on there, and they had it in place
3 already. But most schools, and none of the schools that I
4 talked to are doing it, so we need it to happen. I'm the prime
5 sponsor. I want to make sure if "shall" needs to be in there
6 instead of "may" to make it happen, then that's what we're
7 going to do.

8 I agree with you definitely on your question about
9 the annual. We've got to make sure we get those eighth graders
10 in there. That can be done, you know, without a problem.

11 Guidelines. I love guidelines, but they're not
12 laws. They're not statutes. They're not absolute rules. So
13 the guideline part, I love the robust content of those
14 guidelines, and I love that your understanding of the age
15 appropriate, "got to find the right person," you need that
16 latitude; there's no question about it -- using outside sources
17 of expertise and so on. But can I be sure that if I don't
18 change the language in the bill that it's going to happen in
19 all our schools?

20 DEPUTY SECRETARY DUMARESQ: Well, that may be
21 very---

22 REPRESENTATIVE GINGRICH: It's a direct question,
23 so.

24 DEPUTY SECRETARY DUMARESQ: I know. Well, gosh, I
25 wish I had the handle on truth and certainty. There are so

1 many other things that I would like to see happen.

2 I want to make sure that there is an annual mandate
3 to deliver health education.

4 REPRESENTATIVE GINGRICH: Okay.

5 DEPUTY SECRETARY DUMARESQ: The content of that
6 health education, we have standards. It does not necessarily
7 mandate that this be one of the content---

8 REPRESENTATIVE GINGRICH: Right.

9 DEPUTY SECRETARY DUMARESQ: ---and that's what I
10 think we need to make sure happens, that we mandate that this
11 content be part of either the health curriculum or the school
12 district's delivery system.

13 REPRESENTATIVE GINGRICH: Okay. So that's the
14 mandate then, the content. Okay.

15 DEPUTY SECRETARY DUMARESQ: Yes. We don't want to
16 mandate another curriculum.

17 REPRESENTATIVE GINGRICH: No, I didn't want to do
18 that.

19 DEPUTY SECRETARY DUMARESQ: I understand that.

20 REPRESENTATIVE GINGRICH: But if it was necessary---

21 DEPUTY SECRETARY DUMARESQ: I know you would have.

22 REPRESENTATIVE GINGRICH: Yeah; I think you got the
23 drift of that.

24 Thanks. That's the answer I needed, and I think we
25 probably all needed to understand.

1 Yeah; talking about the parents viewing the
2 curriculum and not just simply sending home a note and saying,
3 hey, this is part of what your kids are going to read about,
4 yeah, it's not going to stop. As my Chairman said, will this
5 stop? No, it won't. But guess what? If the parent looks at
6 that curriculum and sees clearly what the other children are
7 learning, even if they have removed their own kids for what
8 explained reason, I'm not sure.

9 And I can see that there might be -- this is always
10 behind a curtain, a dark curtain, where no one ever knows
11 what's going on. Something may have happened in a family.
12 Maybe it isn't happening anymore, but it happened some time
13 ago, and now this person realizes their child is going to go to
14 school and maybe awaken things in them, which leads us to the
15 statute of limitations and all that stuff, which is equally
16 important. But I think that's going to open their eyes, even
17 if for whatever reason they, like any other subject or
18 curriculum they want their child to, you know, pull out of,
19 they're going to have to think about that and they're going to
20 have to realize that now people are talking about this. It's
21 not behind that curtain anymore.

22 DEPUTY SECRETARY DUMARESQ: I think the other really
23 important thing is that when other children learn, they'll
24 start talking. And I found that children, even though they may
25 have a responsible adult that they trust, will speak to their

1 peer groups. We see this in student assistance teams with drug
2 and alcohol issues, that students are much more likely to open
3 up in their peer group to discuss issues and concerns, and
4 hopefully arming their peers with the understanding of what
5 they need to report will help, even if the child has been
6 exempted from the curriculum.

7 REPRESENTATIVE GINGRICH: Clearly. So I think it's
8 not a cure-all but it is a very important prevention tool.
9 Thank you for the work you've done with us on this.

10 MAJORITY CHAIRMAN CLYMER: Seeing no further
11 questions, the Chair thanks our guest, Carolyn Dumaresq, for
12 being with us today and sharing such important information.
13 Thank you.

14 DEPUTY SECRETARY DUMARESQ: Thank you. And I would
15 just like to give apologies to the other speakers. I certainly
16 was touched by the stories today. I don't want you to
17 interpret my leaving as a lack of interest, but I have other
18 pressing issues back at the department, and I do need to
19 return.

20 MAJORITY CHAIRMAN CLYMER: We understand.

21 DEPUTY SECRETARY DUMARESQ: Thank you so much.

22 MAJORITY CHAIRMAN CLYMER: Thank you.

23 Our next testifier is Erin Merryn, survivor. She is
24 now an author, activist, and speaker.

25 Erin, we welcome you to this hearing this afternoon,

1 and when you're ready to begin, you just begin to speak.

2 MS. MERRY: Thank you for having me here today, and
3 this is a very delicate issue. It's one we often sweep under
4 the rug, look the other way, and pretend it's not going on.

5 But as you all know, with what has shaken this State
6 up in the past year at Penn State, it is an issue going on. I
7 think what happened at Penn State opened a lot of people's eyes
8 to the realization that these people exist, and there are
9 adults out there that do not do the right thing. You've got a
10 president of a university, you've got a coach, that were warned
11 about this, told that this was going on, and did not do the
12 appropriate thing. And for 10 more years, how many more
13 children were sexually abused because adults who heard about
14 this or witnessed it did not go to the police?

15 I wish we could rely on just adults to do the right
16 thing and not have to put this responsibility on the kids to
17 tell, tell, tell. But we can't just put the responsibility on
18 the adults, because as we witnessed at Penn State, an example
19 for this entire country, we need to empower kids. We need to
20 give kids a voice on how to speak up and tell if this is going
21 on on safe touch, unsafe touch, safe secrets, unsafe secrets,
22 and to keep telling if this happens to them.

23 Because right now in our society, we are giving the
24 sexual predators the upper hand. We're giving them the power
25 and control over our kids across this nation, across this

1 world, to silence our kids. Because after abusing a little
2 child, they don't go and tell them, now go off and tell your
3 teacher; go off and tell Mommy what I did to you. No, they
4 silence children. They tell them, this is our little secret;
5 nobody is going to believe you; you'll have no proof; I'll hurt
6 your family. But they're not getting the other important
7 message, the message on not to keep these secrets and you won't
8 be in trouble; you're not to blame; this is not your fault.

9 Why am I so passionate about this issue? Well, you
10 see, as a young child, my father always said enjoy being a kid;
11 you grow up fast. And he was right; we did grow up fast. My
12 childhood seemed to fly by, except for the moments in my life
13 my father didn't know about, the moments that I kept a secret.

14 I was just a little 6-year-old spending the night
15 for the very first time at my best friend's house. I went to
16 sleep, to wake up in the middle of the night to her uncle, that
17 lived in the home, walking into the bedroom. Of course, being
18 the little kid that I was, looking up at him, I thought he was
19 just checking to see if we were going to sleep. But then he
20 closed the door, came in, got down to where I was sleeping on
21 the ground and, for the first time in my life, sexually abused
22 me.

23 I didn't have words to put language on what he had
24 done. I just remember complete, utter confusion. And I didn't
25 tell anybody. That very first time he didn't threaten me. Did

1 I go home and run home the next day and tell my parents what
2 happened? No. I kept it a secret. And the sexual abuse
3 continued, and that's when the threats began. And I kept this
4 a secret, afraid as a young child that I would be in trouble,
5 that I did something wrong. Afraid, as he told me he would
6 come get me; he knew where I lived, which he did, just down the
7 street.

8 The sexual abuse eventually, after 6, 6 1/2, one
9 cold January day I just headed over to my best friend's house
10 just to play. I'm now avoiding sleepovers, because sleepovers
11 are when terrible things happened. But I was safe during the
12 day there. Nothing bad ever happened during the day. At least
13 that's what I thought.

14 Sitting there as a little kid playing with Barbie
15 dolls, 6 1/2 years old. More than 20 years later I can
16 remember this day picture perfect, clear as day, being this
17 little 6 1/2 year old. My best friend leaves to go use the
18 bathroom. I'm playing behind this dollhouse. She comes back
19 in. I say something to her, when I heard the door close, but
20 she didn't respond back. And I peered my head over the
21 dollhouse. Standing there is this man that had been sexually
22 abusing me for the past year. I remember clutching these
23 Barbie dolls in utter confusion and panic.

24 Well, to spare you the details, this man went on to
25 lift me up onto a bed, fighting, kicking, screaming, my best

1 friend locked out, trying to get in, sexually abusing and
2 eventually raping me for the first time in my life. I can
3 remember this day picture perfect: the shoes he tossed on the
4 floor, the closet doors open, thinking he was going to kill me,
5 with his hand over my mouth, afraid that I would not live to
6 see another day. I can still see that man's eyes burned in my
7 head.

8 But, you see, I didn't run home and tell anybody
9 what happened. Didn't say a thing. No, I was eventually given
10 an IEP in the school. A week later, I put my hand through the
11 window of my grandparents' house. I was labeled "behavior
12 disorder" by the schools. They spent thousands of hours for
13 years on me with school psychologists, school social workers,
14 trying to figure out why I had so many anger problems. No one
15 was asking those important questions: Has anyone ever done
16 anything inappropriate to you? Nope; they avoided that
17 question. They weren't educating me about that in schools.

18 I was hearing all about tornado drills, bus drills,
19 fire drills. They were teaching that every day to us. But in
20 my childhood, I never had to run out of a burning building. I
21 never had to duck in cover from a real tornado. I knew what to
22 do in those situations. But no one was ever educating me on
23 this important issue, which is why I never spoke up about it.

24 Eight and a half years old, my saving grace came:
25 We're moving. I'm getting away from this monster. Little did

1 I realize there was another monster in my life, someone a lot
2 closer to me -- an older teenage cousin. Once again waking up,
3 at age 11 years old, older teenage cousin sexually abusing me
4 in my sleep. Panic; all that stuff that came back up as a
5 little kid. The sexual abuse from my cousin continued -- 11,
6 12, 13; Thanksgivings, Christmases, while I babysat his two
7 younger brothers. Threatened, "This is our little secret. You
8 will destroy our large family. No one will believe you." So
9 what did I do? I kept my secrets locked away in this little
10 childhood diary, the only place that seemed to be that I could
11 get my pain out and hide it under my mattress for nobody to
12 know the horror that I had been enduring.

13 Sixth grade. As I'm still being sexually abused, we
14 were taught another very important program -- D.A.R.E. I
15 became a little D.A.R.E. graduate. I knew what to do when I
16 was approached with drugs, how to say no to drugs. They taught
17 us the eight ways right on that card, the eight ways to say no
18 to drugs. But as I stand here before you today, I ask you,
19 where were the eight ways on how to get away, on how to tell
20 today? They never came. So I continued to stay silent, not
21 telling anybody about what happened to me in my childhood.

22 Yet I knew what to do when stranger danger came
23 walking up. I was warned all about that. As a matter of fact,
24 I even wrote about it in my little childhood diary. Just after
25 being sexually abused, I wrote here as a little fifth grader,

1 "I sobbed the whole way home. Over and over in my head I
2 thought about what just happened. In school a guy called
3 Officer Friendly teaches us about stranger danger, never to
4 answer the door when my parents are gone. I thought people
5 like Brian jumped out of bushes and attacked you at night. I
6 was never warned about my own family. They don't teach you
7 that in school." And it was reading this message as an adult,
8 it finally stuck out at me, after going on a crusade, writing
9 these books, becoming a public speaker about this, it finally
10 made me realize not only do I want to be a voice for the
11 voiceless, but we have to do something to protect and educate
12 our kids. The answer lied right here in my own childhood diary
13 about where I wanted to go with this mission in my life and I
14 felt my calling.

15 I'm not staying angry and bitter towards the men
16 that had sexually abused me; instead, being able to forgive
17 them and do something positive with my life, something positive
18 to protect these innocent kids and educate them and not give
19 the power and control that we currently across this country
20 give to sexual predators.

21 So I went to my State lawmakers in Illinois and
22 asked them, we need to start educating our kids. I don't want
23 another generation, another century of children to not be
24 educated on this very important issue, as we continue to fail
25 them year after year after year on what is going on.

1 I brought up Penn State when I began, when I sat
2 down here, but there are Penn States going on all around us.
3 We just don't see it. We put these blinders on and just want
4 to pretend it's not happening. But it really is going on in
5 our own backyards. I guarantee every single one of you in this
6 room, every single one of you that can hear me right now, knows
7 somebody that this has happened to, even if they have not come
8 out and spoken out about it. You see, if we don't start
9 educating kids, empowering them through age-appropriate
10 curriculum on this important issue, they're going to be like so
11 many other generations of kids -- keeping it a secret, locked
12 away in their little childhood diaries, and sitting down with
13 Mom at age 30, 40, 50, 60, and telling them, hey, Mom, this is
14 what Grandpa was doing; hey, Mom, this is what the neighbor up
15 the street was doing to me.

16 And as you probably know, as sexual predators, they
17 don't stop after one victim. If they got one kid silent,
18 they've got many more silent, and if we can get that one kid to
19 put a stop to it in the first place, right when the grooming
20 process begins, that child can save so many more, dozens of
21 more kids from horror, by putting a stop to this. That's why
22 it's so important.

23 It took my younger sister coming to me when I was
24 13 years old. She was 11, telling me that our cousin was also
25 sexually abusing her. As I say, they don't stop after one.

1 They will go after as many children as they possibly can until
2 they are locked up and found guilty for this. This is why we
3 need to empower and educate our kids. You cannot put a price
4 tag on a child's life.

5 There are dozens of resources out there, programs.
6 As I have been on a task force in the State of Illinois after
7 this law passed in January, or February of 2011 Governor Quinn
8 signed it, and for the past 9 months, we just submitted in May
9 our final report. This task force, we did not reinvent the
10 wheel and re-create curriculum. There are plenty of programs
11 out there that we discovered that schools can implement around
12 this country, that schools can bring into their schools to
13 start educating kids on this -- age appropriate, research
14 based.

15 Research also shows that it's far greater to have
16 in-house staff teach this, when you have your teachers that
17 have been trained during their school institute days, bringing
18 in-house people to train teachers, train your administrators,
19 your guidance counselors, your school psychologist, the nurse.
20 Train these people to come into the classrooms and teach these
21 kids. Say they taught it in October; 4 months later the kid is
22 crying out in January saying something happened over their
23 winter break back at home. And they have that, being able to
24 identify that person in the school that originally taught it to
25 them rather than possibly that person that only comes in once a

1 year that they don't see face to face.

2 But there are other programs. There are nonprofit
3 agencies out there that are willing to come into schools, but
4 schools just don't want to touch on this issue. They want to
5 avoid it. It's a topic in society that we've avoided for far
6 too long, and it's time we finally do something about it.

7 I've gotten this law passed in four States, two more
8 pending with it, and my mission is not to stop until we get all
9 50 States passing this law, because I don't want any more
10 little Erin's out there keeping diaries of secrets like this.
11 But instead, I want kids out there standing up, speaking out
12 against these monsters, and stopping them before they harm
13 another child.

14 Thank you.

15 MAJORITY CHAIRMAN CLYMER: Erin, I thank you very
16 much for your powerful testimony. That was excellent and
17 really focuses in on why we are here this afternoon and the
18 need to move forward on this legislation.

19 I have one question. Perhaps more, but just one
20 right now, and that is, from your experience, are there
21 occurrences in our culture today that feed these predators? Is
22 there, like we have adult bookstores all over America. Is this
23 something that they go to that feeds their desires, that, you
24 know, makes them want to go after, in this case, young
25 children? I mean, have you seen something that we should be

1 aware of that we could interact in regard to cutting off the
2 blood flow so that these predators are not as active as they
3 are?

4 MS. MERRY: Well, from what I've seen and what
5 I've, you know, experienced and researched and stuff like that,
6 I have seen no treatment that has actually ever worked to stop
7 these predators. And there are predators out there that will
8 sit there and tell you that they literally cannot be, after
9 being caught, in the presence of children.

10 But I know for a lot of them, it starts with child
11 pornography. It starts there with looking at images, and all
12 of a sudden that image and that desire to go out there, it
13 leads from one thing to the next. And there's also, and this
14 is something that I want teachers, you know, parents, adults in
15 society in general to look for, is, you know, I mentioned the
16 whole stranger danger issue. That's only 7 percent of the
17 population. Ninety-three percent of the time it's somebody you
18 love and trust with your kid that is harming them, the people
19 that, you know, the coaches, the youth people that they're
20 involved with, the babysitter, the people on their streets.

21 And it's the grooming process. Sexual predators
22 don't just one day lock the kids up and sexually assault them.
23 There are these little instigator things they do to see to test
24 kids if they're going to go tell. If you noticed, with both my
25 sexual predators, they ended up sexually abusing me while I was

1 sleeping, while I was in bed, because they could use the excuse
2 "she dreamt it; didn't really happen; this was all a dream she
3 had." So there are these things that parents can look for.

4 But as far as the sexual predators go themselves, I
5 have not seen anything that, you know, other than I've heard
6 pornography leads it up. A lot of times sexual predators
7 themselves will disclose that they were sexually abused as a
8 kid. They had nobody to turn to, nobody to go to, and it was
9 driven off of that to do the same thing that happened to them
10 to another child.

11 MAJORITY CHAIRMAN CLYMER: I appreciate that
12 response.

13 The Chair recognizes Representative Gingrich for a
14 question.

15 REPRESENTATIVE GINGRICH: Thanks, Erin. It's kind
16 of hard to ask any questions after you tell us your story,
17 believe me.

18 We're here to do something about it. And of course
19 it's education based, and you've had this similar legislation,
20 very similar legislation passed in a number of States and lots
21 more coming on. And it reminds me of the suffrage movement.
22 You're doing it one State at a time, but in the end, it works,
23 so.

24 MS. MERRY: Exactly.

25 REPRESENTATIVE GINGRICH: Keep eating your Wheaties.

1 The way we have it configured in our legislation is
2 an age-specific program. I'm just playing this out, because
3 I've got to tell you, those two silhouettes there on the
4 poster, the boy and the girl, they now have faces on them. The
5 girl is my granddaughter, Sophia, and the boy is my grandson,
6 Matthew, and I see them as legitimate targets, like every child
7 is, and I want them to have this education in school.

8 Ours is designed K through 8, and we're going to
9 hear from some other experts that maybe can talk more about
10 this issue, too. We're looking at this consistent message.
11 I'm not using the word "annually" because we're taking it out
12 specifically to deal with that middle school thing in the
13 schools. But every year in an age-specific language, we're
14 going to be talking to kids about this very, very sensitive
15 issue, right?

16 Now, I would assume you were, God bless you, 6 years
17 old and then again at 11. The way you think and act and the
18 things you do and your lifestyle is different at different
19 stages. You can process things differently. So are you a
20 proponent of this consistent, every year, and not just a one
21 shot? See, D.A.R.E. is so many weeks one time in fifth grade.
22 Love it; love the program. You're still carrying your card.
23 Most people do. But we're doing it differently. How do you
24 feel about our perspective on it -- it needs to be done
25 consistently and as the child grows?

1 MS. MERRYIN: Oh, it does need to be -- I definitely
2 believe it does need to be done consistently. The way we're
3 teaching our sixth graders is not the same way we're going to
4 teach, you know, our first graders or our kindergartners.

5 REPRESENTATIVE GINGRICH: Right.

6 MS. MERRYIN: You might be using puppets with them.
7 You're doing role plays, you know, different discussions with
8 your fifth and sixth graders on this. But it does need to be
9 done annually, because there are sexual predators out there
10 that will begin abusing kids -- I hate to put it that way, but
11 they're that evil -- as young as infants. So this is something
12 that parents need to start talking at age 2.

13 You don't have kids being approached as
14 kindergartners about drugs. You know, that's just not -- for
15 sexual abuse, it happens, you know, when they just come into
16 this world, as sick as it is, and that's why it needs to
17 consistently be done and consistently be reminded.

18 And also, you've got your parents talking to your
19 kids "don't use drugs." Parents are uncomfortable with this
20 issue. It's that uncomfortable, shaky issue where they just
21 want to think "oh, no," that we live in a perfect world, that
22 would never happen to my child, and just focus only on stranger
23 danger.

24 REPRESENTATIVE GINGRICH: You are correct. And
25 every day in the media, we can't get away from it. I mean, I'm

1 seeing it all the time. And last week it was a day-care
2 center. I mean, I literally cried reading the Patriot-News on
3 that. But this was happening in a day care that had been a
4 licensed day care, by the way. The individual was charged with
5 that behavior; closed down by our Department of Welfare;
6 disappeared and resurfaced in an unlicensed operation. So I
7 understand what you are telling me. So you agree with us in
8 the way we're approaching this?

9 MS. MERRY: Oh, definitely.

10 REPRESENTATIVE GINGRICH: Thank you very much.

11 MS. MERRY: Definitely.

12 REPRESENTATIVE GINGRICH: Thanks, Erin.

13 MAJORITY CHAIRMAN CLYMER: Seeing no further
14 questions, the Chair thanks Erin Merry for being with us today
15 and for your wonderful testimony. Thank you very much.

16 MS. MERRY: Thank you for having me.

17 MAJORITY CHAIRMAN CLYMER: And I'm sure the sponsor
18 of this legislation will keep you updated as this bill moves
19 through the legislative process.

20 Dr. Paula George is our next testifier, Medical
21 Director, Children's Resource Center of PinnacleHealth, and we
22 welcome you to today's hearing.

23 And Dr. George, you may begin. We have your
24 testimony. You may begin whenever you're ready to start your
25 testimony.

1 DR. GEORGE: Thank you, sir.

2 Members of the House Education Committee and
3 everyone here in the audience -- Erin, Al, and everyone else --
4 my name is Dr. Paula George. I am a board certified
5 pediatrician with additional training, experience, and board
6 certification in child abuse pediatrics. I've been working for
7 nearly 8 years at the Children's Resource Center of
8 PinnacleHealth, and I've been honored to be the Medical
9 Director there for almost 7 years.

10 The Children's Resource Center is a nationally
11 accredited children's advocacy center, a child-focused program
12 under the PinnacleHealth System where children who may have
13 been abused are evaluated by a multidisciplinary team that
14 includes child and family advocates, forensic interviewers,
15 medical professionals, prosecutors, and investigators of abuse
16 from Children and Youth and law enforcement.

17 At the Children's Resource Center, we see over
18 800 children a year who are referred to us because of concerns
19 of possible abuse. Approximately 80 percent of the children
20 that we evaluate are suspected of sexual abuse.

21 In my career, I have been involved in the evaluation
22 of well over 5,000 children suspected of sexual abuse, and I
23 have seen firsthand the effects on many victims -- behavior
24 problems, depression, aggression, poor school performance,
25 delinquency, drug use, promiscuity, teen pregnancy, and more.

1 Unrecognized and untreated abuse of children is associated with
2 adult problems as well -- criminal behavior, drug and alcohol
3 addiction, poor parenting, mental and physical health problems,
4 and much, much more.

5 The majority of children who do disclose sexual
6 abuse make their first disclosure months to years after abuse
7 has started, as Erin talked about. Why is this true? Children
8 are most often sexually abused by people they know and trust.
9 Young children may not have the language skills to communicate
10 about the abuse and they may not understand that the experience
11 itself is abusive, particularly if the sexual abuse is made
12 into a game.

13 By the time a child is old enough to understand that
14 what is happening to them is wrong, they may be ashamed or feel
15 the abuse is their fault for not telling sooner. Many are
16 afraid to talk about a sexual situation, afraid they'll be in
17 trouble. Many children tell me they were afraid that no one
18 would believe them. Many said they did tell an adult but the
19 adult either did not believe them or did not understand.

20 When the abuser is someone the child or the family
21 cares about, the child may worry about getting that person in
22 trouble, and sometimes children are threatened and they don't
23 know or they don't believe that they can be protected. It is
24 not unusual for me in evaluating a possible child victim to
25 speak to a parent who tells me that they themselves were abused

1 as a child, and often this is the first time they have told
2 anyone about this.

3 The best defense against the crime of sexual
4 exploitation is knowledge and education. Adults need to have
5 the knowledge to recognize sexual abuse, believe children when
6 they tell, and protect children from situations in which they
7 may be victimized. Children need to know what sexual
8 exploitation is so they can recognize events in their own lives
9 that may place them in danger and so they have the tools to
10 tell adults if something suspicious is happening to them.

11 HB 2318 mandates such education to Pennsylvania
12 children in kindergarten through eighth grade. By educating
13 our children, we educate the adults and parents that these
14 children will become, and parents will learn through their
15 children about sexual abuse and how to recognize it and prevent
16 it. Teachers and administrators will learn so they can teach
17 our children. Through our children, this education will
18 trickle up to adult citizens of our Commonwealth.

19 Sexual abuse of a child is a hidden crime, and most
20 of the victims suffer in silence for months or years before
21 they tell. But imagine, in one generation, every young adult
22 who grew up in Pennsylvania will know what sexual abuse is, how
23 to recognize it, and how to prevent it. Only through our
24 schools can we hope to educate not only all our children but
25 all future adults.

1 Thank you.

2 MAJORITY CHAIRMAN CLYMER: Are there any questions
3 from the panel?

4 The Chair recognizes Representative Gingrich.

5 REPRESENTATIVE GINGRICH: Doctor, thank you so much.
6 I don't think I could do your job. Thank you very much for
7 sharing that with us.

8 You know, you caught my attention. Again, I clearly
9 recognize, having had four children myself and five
10 grandchildren now, that kids aren't capable of processing some
11 bad things that happen to them by people they love, trust, and
12 respect. They trust you. I'm like, Grandma, no matter what I
13 say to those kids, they believe me. They would do anything
14 that I told them to do because they love and trust me and it's
15 mutual. Boy, what you can get away with that is horrifying to
16 me.

17 But you talk about, yeah, especially if you're
18 making it a game. Gee, all of a sudden I'm thinking -- and I
19 no longer can stand the term "horsing around."

20 DR. GEORGE: Right.

21 REPRESENTATIVE GINGRICH: Because sometimes you'll
22 see, you know, an adult man tickling and over-tickling a child
23 and "horsing around," as you often see. I never gave that a
24 thought until I saw you mention it. Make it a game and it's so
25 much easier for the kids.

1 Getting that person in trouble, that, again, I'm
2 thinking wow. You know, if that is somebody that not only you
3 know and trust and maybe love, so does the rest of your family
4 and everybody else there, huh? And maybe you don't want to get
5 them in trouble. Wow, the psychology of it is really
6 frightening.

7 And your support of the bill makes me feel good,
8 because I truly see the cycle that you are referring to. If
9 these kids have an understanding and can talk about it at their
10 level and have an adult to talk to, and we have adults who are
11 prepared to respond appropriately, we can change the
12 generations. We can literally change the generations. I think
13 that's amazing.

14 DR. GEORGE: I do, too.

15 REPRESENTATIVE GINGRICH: What do we do about these
16 games? I mean, it's like wow. If you see something like that
17 going on, we actually need to pay attention to that.

18 DR. GEORGE: We need to pay attention, but it's hard
19 to pay attention because there are innocent games that are
20 played with children as well.

21 REPRESENTATIVE GINGRICH: Right; right. Well, we
22 need to be educated ourselves too. You're right.

23 Thank you, Doctor, so much.

24 DR. GEORGE: Thank you.

25 MAJORITY CHAIRMAN CLYMER: The Chair thanks

1 Representative Gingrich for those concerns, and now the Chair
2 recognizes Representative Smith for questions.

3 REPRESENTATIVE SMITH: Thank you, Mr. Chairman. I
4 have more of a comment than I do a question.

5 Doctor, thank you very much for your testimony
6 today.

7 Doctor, in Lackawanna County we have a children's
8 advocacy center, and their numbers are similar to yours. And I
9 was amazed that two to two and a half children every single
10 day, 7 days a week, would be brought to the children's advocacy
11 center because of sexual abuse. It's just so disturbing. And
12 those that work there are angels. They're angels from heaven.
13 There's no question about it.

14 But when I think about this legislation, if we could
15 take this legislation -- and I'll accept your input -- if we
16 could take this legislation in conjunction with our children's
17 advocacy center and working together, I think that will go a
18 long way in educating or minimizing the sexual abuse of our
19 most vulnerable population and citizens here in Pennsylvania.

20 Thank you.

21 DR. GEORGE: Yes. Thank you.

22 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
23 gentleman and recognizes Representative Tallman for a question.

24 REPRESENTATIVE TALLMAN: Thank you, Doctor, for
25 being here. And kind of just to echo what Representative

1 Gingrich said and Erin in her testimony, and being the father
2 of four myself, three boys and a girl, I didn't educate my
3 children on sexual things until about age 12 or 13, which I'm
4 now finding out was probably too old. They already knew
5 everything by that time.

6 But anyway, Pinnacle, do you have what you consider
7 a course of study? By the way, I want to compliment that you
8 have an advocacy center, because we do not have them widespread
9 across the Commonwealth, and we need to have those also.

10 DR. GEORGE: Right.

11 REPRESENTATIVE TALLMAN: But do you have like a
12 course of study that you guys would use at your resource center
13 at Pinnacle?

14 DR. GEORGE: At our resource center, we have two
15 specially trained forensic interviewers who are trained through
16 national programs on how to talk with children in a nonleading,
17 defensible way to elicit information from children who are
18 ready to tell, and one of the problems, of course, is children
19 usually do not tell right away. So the resource center is
20 important for them once they are ready to talk or once they
21 have the words to be able to voice it.

22 In addition to our two forensic interviewers, I work
23 with two nurse practitioners, and there are well established
24 programs to train medical personnel on how to address issues of
25 abuse of children, and that happens through our continuing

1 medical education. There is now a board certification program
2 in child abuse and neglect for pediatricians as well.

3 We are involved in training professionals and
4 community members within our jurisdiction, if you will, central
5 Pennsylvania, and we do a lot of outreach to community groups.
6 We are involved in the teaching of medical residents from
7 Hershey Medical Center and members of the investigative teams,
8 including victim advocates, mental health professionals, law
9 enforcement, Children and Youth, and prosecutors.

10 So while there is not a specific training program
11 that we have at the Children's Resource Center for training
12 children, we do have a lot of experience on how to talk to
13 children, and we would be happy to partner with the Department
14 of Education in looking at ways to talk with children.

15 REPRESENTATIVE TALLMAN: Thank you, Mr. Chairman.

16 MAJORITY CHAIRMAN CLYMER: I see no further
17 questions. The Chair thanks Dr. George for being with us today
18 and for sharing vital information on this very important topic;
19 that is, sexual abuse of children. Thank you very much.

20 DR. GEORGE: Thank you.

21 MAJORITY CHAIRMAN CLYMER: We'll go to our next
22 testifier, and he is Al Chesley, a survivor. To many of us who
23 follow the Philadelphia Eagles, we know of him, because he was
24 a former NFL player for the Philadelphia Eagles. And he also
25 played for a lesser professional team, which we won't have to

1 discuss right now.

2 MR. CHESLEY: Erin might get upset. That was the
3 Bears. Those are her Bears.

4 Eagles; go Eagles, though. I know where I am.

5 MAJORITY CHAIRMAN CLYMER: Sir, you may proceed then
6 as you like.

7 MR. CHESLEY: Thank you, Mr. Chairperson.

8 And excuse me for being a little out of it, but this
9 is where I am: I just came out about my childhood sexual abuse
10 about 6 years ago, so don't mind if the waterworks start. I am
11 glad that I was able to compose myself after Erin shared. I
12 was doing pretty good, I talked this morning, and it was one of
13 the first times there were no waterworks.

14 But, you know, I am right where I need to be. You
15 know, I understand it's a recovery process and I've had it
16 hidden for over three decades, so I'm right where I need to be,
17 and it's okay. I'm just grateful that I'm alive and I didn't
18 commit suicide. I didn't, you know, God bless the poor guy,
19 the victims, that aren't here. So I'm glad I can be a voice.

20 I just have to say I was holding together pretty
21 good until my friend Erin shared, and then I started reliving
22 my past, what I went through. And childhood sexual abuse is
23 the crime that keeps on giving, you know? It may have happened
24 a long time ago, but it will be with us for the rest of our
25 lives. So that's why it's important that I try to get this

1 water out of my eyes and articulate a clear message, because
2 this bill is very important, HB 2318.

3 So thank you for bearing with me, but, you know,
4 people say, man, this big, tough NFL linebacker, he's just a
5 crybaby, but that's okay, you know? I was superficial a lot of
6 years, and I just am glad that I'm back in touch with myself.
7 You know, I got paid to kind of cause mayhem, but a lot of it
8 was like that anger. I just was happy out there because I
9 could hurt people. And when I got abused, I was really hurt,
10 and sports gave me a way to hurt other people.

11 And like I said, when Erin talked, she brought up a
12 lot of feelings and, you know, it just touched me. It took me
13 right back to when I was abused. I mean, I could smell the
14 stench in my predator's apartment building. When I was young,
15 I didn't know what that stench was, but that was the smell of
16 funky sex over and over, because that was the place where he
17 carried a lot of kids and where he abused. I was just one of
18 many. I saw the scrapbooks. So thanks for bearing with me,
19 and I'm going to get it together here and share some facts.

20 You know, this is truly a public health epidemic.
21 Representative Gingrich, I would like to thank her so much for
22 championing this bill, and it's an honor to be up here. I'm
23 glad she asked me to be a part of it. I was like, wow, what
24 are we doing this for? This should be a no-brainer. Do we
25 have to fight for this like I fought for so many other things,

1 the statute of limitations and other things that I've been a
2 part of, you know? And I'm just honored that I could be of
3 some use and that someone asked me to share. But I understand
4 this is a process, and I'm glad to be here. So I thank
5 Representative Gingrich for pioneering this important cause,
6 because I think an ounce of prevention is worth a pound of
7 cure.

8 And the stats she talked about, I have stats that
9 are even worse. One in four girls and one in six young boys
10 before their 18th birthday will be touched inappropriately or
11 sexually abused. There are over 60 million adult survivors
12 that we know about. I mean, that's not to tell how many
13 committed suicide or, you know, are in jail or never even came
14 out, you know? And these numbers are alarming, and why I'm
15 here is we just can't repeat those numbers. It's 2012. We
16 can't be sitting back up here in 2020 with 60 million new
17 survivors.

18 Sexual abuse is more prevalent than heart disease,
19 stroke, and autism, and it reaches across all generations. It
20 affects families, individuals, and the entire community, as
21 Erin alluded to. You know, I don't want to beat a dead horse,
22 but I respected Penn State and the great Joe Paterno for many
23 years, you know, but my heart goes out to those kids. And one
24 man affected a whole community. And it's not just at
25 Penn State. You know, I grew up a Catholic, and I don't even

1 have to go down that road, you know? I just read the
2 Philadelphia Inquirer this morning, and, you know, I just don't
3 want to get sidetracked, I want to stay focused on the message
4 here, and I think this could be very preventable with this
5 HB 2318, the awareness and the education, the appropriate
6 education.

7 I mean, there's a staggering number of child
8 victims, adult survivors, and it costs the United States well
9 over \$60 billion. I mean, you know, that's a lot of money, so
10 it affects us in so many different ways.

11 I'd just like to briefly share my story of abuse so
12 that, you know, you can understand how it happens, as if you
13 don't already know. But I just think it's important to share
14 my story, because if I had this education and if this bill were
15 passed when I was a kid, my parents did everything right. They
16 taught us, raised 10 kids. We all were very educated. A lot
17 of my family members got two college degrees and are very
18 successful in life. But the one message that was like taboo in
19 our household, you know, a big Catholic family, you just never
20 said the word "sex," you know? And I know they loved us to
21 death, but, you know, they didn't talk about the birds and the
22 bees, and they certainly didn't talk about childhood -- if
23 anything, they talked about respect adults. You always listen
24 to your adults, especially the elderly, especially the
25 teachers. And we'd get very disciplined if we didn't obey the

1 police officers, and as you'll hear in my story, a police
2 officer was my abuser. So, you know, they did the best they
3 could, but sometimes parents need a little help. That's where
4 this bill would come in, and sometimes the kids can teach the
5 parents. God bless my mom and dad, though. I love them to
6 death, and they did the best they could.

7 This is a little bit about my abuse. As a
8 13-year-old kid, I was sexually abused by a Washington, DC,
9 police officer. He was a neighbor whom I had revered. All of
10 us kids in the neighborhood looked up to him. In an instance,
11 my childhood innocence was stripped from me. Replacing my
12 innocence has been a lifetime of fear, pain, and paranoia. It
13 was my first sexual experience, a very illegal and negative
14 act, to say the least.

15 I was too frightened and confused to tell my father
16 or mother about it. At age 13, I was incapable of processing
17 what had happened. Somehow in my 13-year-old mind, I believed
18 this was my fault. Compounding my pain and confusion, the man
19 who committed the sex crimes upon me told me not to talk about
20 it. From that point on, my life was forever changed and my
21 life became a living hell.

22 I know now after years of struggling internally that
23 the rape led to many dysfunctional areas and actions in my
24 life. It took me all these years to be able to talk about the
25 experience. It still is painful, but I am speaking out in

1 hopes that I might help protect other children from having to
2 experience what I went through.

3 That's why I am asking you to support the child
4 exploitation awareness bill, 2318. I believe it will protect
5 children today from being exploited, as I and so many others
6 have been. This bill will allow appropriate education and
7 raise awareness that will allow potential victims to expose
8 predators so parents will know to keep their young ones away
9 from the predators.

10 I know if my mother and father had known the police
11 officer down the block was a child molester, they would have
12 kept me away from him. This bill will help children be warned.
13 It's vital for their safety. It will empower children to speak
14 up when a person touches them inappropriately, no matter who it
15 is.

16 They must know it's okay to talk about. They must
17 also know it's never, ever their fault. That's important. You
18 know, I still sometimes feel it's my fault, even though I'm an
19 adult and I get it now, you know? It's never the kid's fault,
20 and that has helped me over the years, just the fact that I
21 know it was not my fault. You know, you have an overwhelming
22 urge to feel complicit when you're involved in something like
23 that, and that's what I think kept me stuck for so many years.

24 I do not know all the psychological reasons for it,
25 but I know I couldn't talk about it until I was well into

1 adulthood. Like I said, it took me three decades to talk about
2 it. Other survivors and just about everyone else like myself
3 couldn't talk about it until later in life. If I could have
4 spoken up sooner, I would have. If I had spoken up sooner, it
5 would have helped me, as I have suffered for decades without
6 understanding why. Again, an ounce of prevention is worth a
7 pound of cure.

8 Wow, I just can't say enough about this wonderful
9 bill that we're talking about discussing today. It will arm
10 the kids, and if not anything, it will let the kids know that,
11 yeah, we're aware that there are devious adults out there, that
12 there are people that will take advantage of you and prey on
13 you, and no matter what happens, it's not your fault. And if
14 we could just get that message to the kids in some kind of way.
15 I'm not going to have a hand in the education, that's not my
16 job, but I do know it's never a kid's fault, no matter what
17 happens when an adult touches them inappropriately.

18 So it's about protecting the kids and getting
19 justice and some rights for the kids today. I just don't want
20 any other kid to have to live with the hurt, the shame, the
21 guilt, the incredible burden of carrying that secret around for
22 many years, the pain that I went through and the embarrassment,
23 you know, and last but not least, that feeling of worthlessness
24 and feeling like you're damaged goods, you know?

25 And I know it's just amazing how, I'm just so glad

1 God is using me to help other kids. And the worst thing that
2 has ever happened to me was that sexual abuse, and now that
3 worst adversity has turned into my biggest asset, so I'm truly
4 grateful for being here. Thank you all.

5 And I can take any questions. I'm putting that
6 linebacker face back on. Don't mind the little tears. So I'm
7 sorry about the sensitivity, but that's where I'm at and that's
8 what happens if the kids don't get that education, you know?
9 So you can see that pain. And I never had any acting classes
10 at Pitt. It's a great university, but they're not that good.
11 So if there are any questions or any way that I can help in any
12 other way, please feel free. I can handle it.

13 MAJORITY CHAIRMAN CLYMER: Well, Mr. Chesley, thank
14 you very much for your testimony. It's very powerful as well,
15 and we appreciate you sharing your personal life.

16 I guess as we've been listening to testimony, we
17 hear about all these predators. A couple of things: That
18 policeman in Washington, DC.

19 MR. CHESLEY: Yes.

20 MAJORITY CHAIRMAN CLYMER: Did he ever get convicted
21 of this? Or did he die?

22 MR. CHESLEY: I believe he's dead. After about
23 20 years, you know, I snuck in the police station and tried to
24 just anonymously let them know that they had somebody on the
25 force that was---

1 MAJORITY CHAIRMAN CLYMER: Yeah.

2 MR. CHESLEY: And so that was one attempt I made.

3 And since then I've had investigations and people trying to
4 find him, but they haven't. And the guy's name is Leroy King,
5 and I remember him just like it was yesterday. He was like a
6 sergeant, and he had full rein over the schools. He was in the
7 schools right next to my Little League coaches, just like he
8 owned the whole area, you know? I don't know his police
9 assignment, but to answer your question, I believe he's dead.

10 But when I went to report him to the police station,
11 they were like, well, we know who you're talking about, so they
12 weren't surprised. They knew of him, but they said it has been
13 20 years; the statute of limitations has passed; we suggest you
14 go see a therapist or whatever, you know? So I proceeded to go
15 to the next liquor store and drink.

16 And I'm joking about that, but, you know, I didn't
17 mention the effects, another side effect from being abused.
18 You know, out of the thousands and hundreds of thousands of
19 survivors I met, a lot of them self-medicated, like myself, and
20 it's a terrible road. You know, you want to cover that pain up
21 any way you can, and a lot of survivors would turn to alcohol
22 or drugs and become addicted. So there's a high rate there,
23 and that, too, adds to the self-destruction, the
24 self-destructive lifestyle.

25 So, you know, this is a no-brainer to me to nip it

1 in the bud and try to get that education, because you're either
2 going to pay for it now or pay for it later, you know, and hurt
3 people and hurt people. And like myself, I was really hurting.
4 I'm just glad I didn't act out. Don't get me wrong, I did act
5 out in some ways, and a lot of times it wasn't legal. But I
6 was glad I found the NFL, and they actually paid me to go out
7 there and cause mayhem.

8 So it worked out for me, and, you know, I'm here
9 today and no worse for the wear. And I love the guy I'm
10 becoming today as opposed to what could have happened, because
11 as I said, this childhood sexual abuse is the gift that keeps
12 on giving. You know, it just doesn't stop.

13 MAJORITY CHAIRMAN CLYMER: Well, thank you again.

14 And at this time, the Chair recognizes
15 Representative Gingrich for a question.

16 MR. CHESLEY: Yes?

17 REPRESENTATIVE GINGRICH: Al, I have great
18 admiration for you.

19 MR. CHESLEY: Thank you.

20 REPRESENTATIVE GINGRICH: Now, I never knew you as a
21 football player. See, I only know you as a guy.

22 MR. CHESLEY: You're too young to know me.

23 REPRESENTATIVE GINGRICH: No, not really; not
24 really.

25 MR. CHESLEY: It was so long ago.

1 REPRESENTATIVE GINGRICH: I just have great
2 admiration for you in your effort to do this.

3 MR. CHESLEY: Thank you.

4 REPRESENTATIVE GINGRICH: You're struggling. We're
5 struggling with you.

6 I feel a kinship with you in that we're both from
7 large Catholic families. You're 1 of 10; I'm 1 of 10. I knew
8 exactly---

9 MR. CHESLEY: Wow.

10 REPRESENTATIVE GINGRICH: Yeah, the same thing. I
11 knew exactly what you were talking about. My dad taught at the
12 State Police Academy, so he was with the State Police. So our
13 whole family was all about respect. That was it, right?

14 MR. CHESLEY: Adults.

15 REPRESENTATIVE GINGRICH: And absolutely we were
16 taught to respect every adult. And Lord help us if we came
17 home and said the teacher did something wrong, because that
18 teacher never did anything wrong.

19 MR. CHESLEY: And the police. Oh, boy.

20 REPRESENTATIVE GINGRICH: Yeah; right. That's what
21 I'm saying. And I'm sitting here thinking, my goodness, I
22 wouldn't have been -- I never had the experience, and I thank
23 the Lord himself, but I wouldn't have been prepared. You
24 weren't prepared. Gosh, we can prepare kids better, can't we?

25 MR. CHESLEY: I think you're so true, and that's why

1 this bill speaks to the heart of the matter. I mean, I've been
2 working, since I came out of the closet about my childhood
3 sexual abuse 6 years ago, everything has been talking about the
4 survivors and the statute of limitations, which is good, and
5 I'm a great example because, hey, look at me, and here's a guy
6 who couldn't talk about it. But I always in my heart said,
7 hey, what about the prevention? So that's why this is so dear
8 to my heart. The prevention is the key. Yeah, you want to try
9 to make some wrongs right, but we can't go back and turn the
10 clock back. Sure, we could, you know, make reparations to get
11 some people treatment, that's fine, but the big issue is
12 prevention. Don't let it stop the bleeding.

13 REPRESENTATIVE GINGRICH: I understand.

14 MR. CHESLEY: I think this is the answer. I mean,
15 it has got to be the answer.

16 And God bless Erin having the wherewithal, having,
17 you know, the courage to do what she's doing and has gotten it
18 done.

19 REPRESENTATIVE GINGRICH: Right.

20 MR. CHESLEY: And Pennsylvania is a great State, and
21 I think they should take this lead and be a great example. And
22 I know Pennsylvania and I feel comfortable that we'll do the
23 right thing here. I'm so excited about that, and we're going
24 to get some justice for the kids in PA.

25 REPRESENTATIVE GINGRICH: It's really reinforcing.

1 I just want to say, to hear you and Erin, who
2 actually have -- we're sitting here living through you, never
3 having experienced it. Your support for this concept tells me
4 it's necessary and that it's going to work. So thanks so much.

5 MR. CHESLEY: Thank you very much for having me.
6 And no question, I would do anything I can and be anywhere that
7 I was asked to come for a cause like this.

8 Prevention is key, and this is where it stops. You
9 have got to arm the kids and give them a fighting chance, you
10 know? They can handle it; they can handle that education. If
11 we don't teach them, the predators will teach them with the
12 grooming. Thank you.

13 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
14 gentlelady and recognizes Representative Tallman for a
15 question.

16 REPRESENTATIVE TALLMAN: Just real quick. I'm just
17 going to make a comment.

18 MR. CHESLEY: Yes, sir. Thank you.

19 REPRESENTATIVE TALLMAN: I'm just going to echo what
20 Representative Gingrich said, and I really appreciate you and
21 Erin sharing the tragedy and trauma that happened in your life,
22 and I really appreciate the fact that you still have effects
23 from that, and that's enlightening to myself today. But I just
24 want to thank you two for sharing.

25 MR. CHESLEY: Thank you very much. Thank you so

1 much.

2 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
3 gentleman and recognizes Chairman Roebuck for a question.

4 MINORITY CHAIRMAN ROEBUCK: Thank you, Mr. Chairman.

5 Listening to this discussion, and certainly your
6 testimony is extremely powerful, as was Erin's, but one of the
7 things I keep having trouble within this is that you empower
8 young people to recognize what is happening and offer avenues
9 to try and address it. What I'm understanding or at least what
10 I'm hearing from some of the cases about abuse, particularly
11 when it involves a figure in the community who has stature,
12 particularly the abuse that has occurred around religious
13 leaders, is that even when the child comes forth and says this
14 has happened, they do not necessarily get with that either the
15 support of parents or of others in the community. It's as if
16 these people are above any sense that they can do wrong. And I
17 appreciate the legislation, but I'm not certain that we really
18 get over that issue.

19 MR. CHESLEY: Right.

20 MINORITY CHAIRMAN ROEBUCK: And I'm not certain how
21 we do that, but that is, I think, still a very real problem in
22 this.

23 MR. CHESLEY: Right. Thank you for bringing that
24 up, and that is huge. And in my case, the police officer, he
25 was really revered by myself and the rest of the neighborhood.

1 And like I said, he was standing alongside my coaches and the
2 people that, you know, he just had keys to everything, he ran
3 everything, and that's the scary part of it.

4 And as was your question earlier, I think they're
5 great questions about a parent removing his kid from the
6 education process because he or she might be abusing the kid.
7 So those are some little kinks we have to find a way around.
8 And I don't have all the answers, but that is one, that is
9 really a tough situation. But if we can draw on anything from
10 the Penn State case, and again, I'm not trying to beat up
11 Penn State because my hat is off to them. Unlike the Catholic
12 Church, Penn State cut their heads off at the top. The
13 Catholic Church is just the opposite. So they've done a great
14 service to the school, and they are handling it the right way.

15 But back to your question, it is imperative that we
16 humanize it and not have people beyond reproach like coaches,
17 and that hopefully will come out in education, too, you know,
18 that inappropriate touching, no matter who it is. And then the
19 fact that even more so when you trust someone, you really have
20 to have your antennae up.

21 You know, it's a touchy situation, because I'm still
22 connected with a lot of former NFL players, and when that
23 happened at Penn State, a lot of them are coaching in the
24 Walter "Pop" Little League, and, man, they were like, they know
25 I'm in the advocacy work and they said, "Al, I'm kind of scared

1 to coach now," you know? "I want to back away from it."

2 So, you know, we're on the right path with the
3 awareness in the schools, but it's going to take some ironing
4 out some kinks. There are a lot of little things that I have
5 faith that the people who are educators and who are trained in
6 those areas, the doctors and the people with those degrees, can
7 handle it. I can give you some expert testimony from that pain
8 I experienced from being abused and I have a little insight,
9 but I don't have the answer. But that is a great question, and
10 that is the concern of myself, too. And we need to have that
11 bill answer some of those questions, because there are a lot of
12 dynamics that, you know, are unforeseen. Because someone
13 raised the question about, I think it was the Chairman here, he
14 said, how can we stop, and asked Erin, how can we stop this? I
15 mean, it's just an insidious crime. I mean, there's no real
16 answer.

17 I don't believe there's a cure, like Erin said, and
18 I did some studying and been a student of it for the last many
19 years as I came out, 7 years or so. So I've been a student,
20 and my hat is off to it. But it's just so insidious to the
21 fact where you have a guy being watched by the police who's on
22 the sex offenders' list, the highest level, and what does he
23 do? He knows the police are watching him. He can't mess with
24 any of the neighborhood kids. What does he do? He goes and
25 gets married, has a wife, and then procreates and has a kid so

1 that he can abuse that kid. So it's a real sick -- and these
2 are true stories. So this is how sick and insidious this
3 disease is of these childhood predators, these pedophiles.

4 But the brunt of it is, this is drastic times so we
5 have to take drastic measures. We have to start out early and
6 teach the kids early. And there are ways around it,
7 appropriate education -- the good touching, the bad touching.
8 You can keep it simple, and I'm sure it will happen. And let's
9 hope and let's make it happen sooner rather than later. That's
10 my wish.

11 MINORITY CHAIRMAN ROEBUCK: Thank you.

12 MR. CHESLEY: Thank you.

13 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
14 gentleman and recognizes Representative Smith for questions.

15 REPRESENTATIVE SMITH: Thank you, Mr. Chairman.

16 And thank you, Mr. Chesley, for your testimony.

17 MR. CHESLEY: My pleasure, Representative Smith.
18 Thank you.

19 REPRESENTATIVE SMITH: And I remember your playing
20 years as well.

21 MR. CHESLEY: You're showing your age now.

22 REPRESENTATIVE SMITH: And also if I may add,
23 growing up a Catholic, you never spoke of sex in your house.

24 MR. CHESLEY: Right.

25 REPRESENTATIVE SMITH: As a matter of fact, I'm

1 still waiting for my parents to explain to me the birds and the
2 bees, you know?

3 MR. CHESLEY: Yeah. You know what I'm saying.

4 REPRESENTATIVE SMITH: But my question is, and you
5 answered part of it, I was wondering how long did this abuse go
6 on for you by this individual, and how was he able to
7 infiltrate? But you said he was coaching and that type of
8 thing.

9 MR. CHESLEY: Great question. Another great
10 question. And I just happened to talk about that with Erin. I
11 keep bringing up Erin. She's my new buddy, my partner. But I
12 was just sharing with her, because earlier -- I just met Erin
13 today, and, you know, the therapeutic value of another survivor
14 helping another survivor is just incredible, so I was getting
15 some help from my young sister there today.

16 About that, you know, it was funny, when I first
17 came out, I told you I came out about this, I came out of the
18 closet, so to speak, about my childhood sexual abuse about
19 6 years ago, close to 6 years, and I was still so embarrassed.
20 And, you know, I thought I was just telling somebody
21 anonymously, and as fate would have it, you know the media
22 today, it just hit the fan, and so I'm grateful that it
23 happened that way. So I would like to say God has done for me
24 what I couldn't do for myself. So He gave me courage for
25 coming out, but I got kind of outed, you know? And it worked

1 out for me, and I'm glad, because I'm experiencing a freedom
2 and talking in front of strangers I don't even know about
3 something so horrible and vile and something so, you know,
4 devastating to me as a kid that happened. So I'm happy, and
5 that's the way it should be, because I didn't do anything
6 wrong.

7 But to answer your question, I couldn't -- you know,
8 the first year I was able to talk about it, I just said it
9 happened one time, knowing inside of me it had happened
10 countless times. I was just embarrassed to say that it
11 happened more than one time. Here I am at this time, probably
12 48 years old, I was giving half truths. Can you imagine a kid
13 going through this same thing trying to tell his story? So I'm
14 a grown man, still well into adulthood, and I still was
15 incapable of being totally honest, until a year or so later I
16 was able to say it happened repeatedly, because, again, the
17 feeling of complicity, that you feel complicit. Because the
18 grooming process went on, it happened, and then I felt, ah,
19 this never happened to anyone, and this is the first time. And
20 for man-on-man sex -- I'm not minimizing it happening to a
21 young girl, but I can speak as a man -- that's the worst thing
22 in the world here. Another man having sex, that really messes
23 up your psyche. And at this time I didn't know that I had no
24 control over my reaction as far as having an erection and
25 things like this. It gets pretty graphic. But to answer your

1 question, so you're going through all these mental things why
2 you don't want to talk about it, you know? And then eventually
3 I learned that I had no control over that as a kid. Those
4 things happen. You're manipulated and it happens.

5 So, you know, it's really a deep subject, and I'd
6 love to talk in depth about it. But it's not a tough question
7 for me, but I understand it. I've educated myself, and I'm
8 able to take myself off the hook, one, knowing that it's never
9 a child's fault, 13 years old, one. That knocks it out of the
10 box. But the fact that I had to rationalize this to myself; I
11 said, why do you keep going back or why -- because every time
12 he pulled up in that police car, he had an unmarked police car,
13 he was a big guy, and he was, I guess you could say he was like
14 somebody, I hate to beat a dead horse with Sandusky, but he was
15 someone you just didn't say no to. And then once the gifts
16 started coming, it was almost like I felt like a prostitute. I
17 can use that word now; I wouldn't use that word as a kid, but I
18 felt like here's a guy that has got me in a situation and then
19 he's giving me little tidbits of peanuts here -- money here; a
20 baseball glove here; tickets to a sporting event here, to the
21 Redskins or something along that nature. So you're actually
22 hooked in.

23 And then when I was with him, the 13-year-old mind
24 is incredible. I was able to disassociate myself with it and
25 just be there. And he would perform oral sex on me, and then I

1 would leave, and this happened on and on for several years. So
2 I was so glad when I left to go away for college, and that's
3 when it really stopped, when I left town. But it's hard to
4 explain, but he had some type of power. I don't know if it was
5 the gifts, but he had that secret over me.

6 And I know that I wasn't the only kid that he was
7 with, because I saw the scrapbooks in his home, and I was one
8 of those, you know? I didn't even want to become too popular.
9 I was scared to become famous in sports, you know, because I
10 was like, ah, this is going to come back to haunt me, because I
11 knew that picture of me exposing myself was somewhere out
12 there.

13 So I had all this stuff hanging over my head. I had
14 anxiety attacks and cold sweats. It gets pretty deep. And you
15 feel like he has the stick over your head, so, you know, you're
16 locked in. It takes a lot more time than we have here to go
17 into all the details. I'm sure the doctors here in the room
18 could tell you about it.

19 But it's just not a fair match. At 13, a young
20 teenage kid in his early teens trying to deal with the sergeant
21 of the police force, someone who's a serial predator, you know?
22 I mean, these guys, they're not dumb people. You know, they're
23 very smart, sometimes one or two or three degrees, and they
24 know, they know the kid's capabilities better than probably
25 their parents. Something inside of him, I feel he never had

1 any worries. He never looked worried at any time. He was
2 always comfortable, in control, and it was just an unfair match
3 for a young kid to be in a situation with an adult. That's why
4 it's a crime. That's why it's called statutory rape.

5 REPRESENTATIVE SMITH: Thank you. Thank you for
6 your testimony. And I can tell you that in the little borough
7 that I come from, Dunmore, Pennsylvania---

8 MR. CHESLEY: Oh, yeah. Sure.

9 REPRESENTATIVE SMITH: ---we had cases in youth
10 basketball and youth baseball where we had predators, and it's
11 very disturbing. So whether you come from a big city or a
12 small town, predators are predators, and they're going to do
13 what they're going to do.

14 MR. CHESLEY: Thank you.

15 REPRESENTATIVE SMITH: Thank you for your efforts.

16 MR. CHESLEY: Thank you for your support on this
17 bill here. I thank all of you.

18 I feel sad. I mean, everybody is asking me a
19 question. Now I'm going to take this personal, Representative
20 Smith, if you don't ask me a question.

21 I'm kidding. You don't have to ask me a question.
22 Thank you so much.

23 MAJORITY CHAIRMAN CLYMER: I think we've done well,
24 Mr. Chesley.

25 MR. CHESLEY: Thank you so much for your time, and

1 thank you all so much.

2 MAJORITY CHAIRMAN CLYMER: Thank you for being here
3 and for sharing your wonderful testimony.

4 MR. CHESLEY: My pleasure. Thank you so much.

5 MAJORITY CHAIRMAN CLYMER: We sincerely appreciate
6 it.

7 The next testifier is Cathleen Palm, Co-Founder of
8 the Protect Our Children Committee, and we are glad to have her
9 with us this afternoon.

10 And again, Cathleen, you can give your testimony
11 when you're ready.

12 MS. PALM: Thank you.

13 Actually, Representative Roebuck, if you could just
14 stay for one second, because I'm going to start at the end of
15 my testimony, and I have to say that I, too, am a survivor of
16 child sexual abuse. So many of the stories are the same in
17 terms of the respected person in your community and the
18 grooming and the gifts.

19 And I found myself not really convinced about this
20 legislation, quite frankly, a little bit, because I am now a
21 mother, and I think the responsibility for protection rests
22 with the adults, not with the child. But I really, on the
23 drive up from Berks County and sitting in this room, realized
24 that one of my favorite things in the world is to say "change
25 the story."

1 And your point of, would this make a difference if
2 people speak up, I can speak to that. I was one of those kids,
3 different than it appears in Al's case or Erin's case in that I
4 did speak up, and I said to people, this is what's happening to
5 me and this is what's happening to my sister. The difference
6 was, I didn't know if what I was telling them was wrong or
7 right. It felt weird to me. It felt wrong to me. But the
8 people I told all said no, no, no, no -- the pat on the head,
9 don't worry about it, and things like that.

10 The difference this bill would have made in my own
11 story, the story that might have changed had this been in law
12 at that point in time, is that I would have heard a message
13 from someone outside of my family and I probably would have
14 told someone outside of my family. And everyone that I told
15 had, and I don't mean this negatively, but had a vested
16 interest in not changing the story on my behalf and not telling
17 the story and not stopping it.

18 So I think one of the things, as someone who came
19 into the room a bit agnostic about this, I would say that as a
20 survivor -- and, you know, it's hard not to be enthusiastic
21 with Representative Gingrich's just sheer passion for this.
22 But I really think that it's really, I've been very convinced
23 sitting here today, because in my own situation, if it had been
24 the teacher or the guidance counselor or someone who said to
25 me, on an annual basis if someone said this isn't really what

1 should happen, this is what -- the next time I told someone in
2 my family and they said, oh, patted me on the head, and
3 dismissed it, I probably would have then the next time thought,
4 maybe I'll talk to my teacher about it; maybe I'll talk to the
5 guidance counselor about it.

6 So there still is this huge conversation "we'll talk
7 about it" throughout the rest of our times and places about
8 connecting the dots and puzzle pieces of adult responsibility.
9 But I think I came into the room agnostic and am leaving the
10 room as a survivor, as an advocate, saying there's nothing more
11 fundamental we can do than making sure the kids know that it's
12 okay to speak these words and it's okay to keep speaking those
13 words until the right adult decides to stand up and listen to
14 you. So I didn't mean to hold you hostage, but I did just want
15 to say that, you know, I was going to end there, but I think
16 it's probably more appropriate to begin there.

17 So I am Cathy Palm from the Protect Our Children
18 Committee. Just a moment about the Protect Our Children
19 Committee. We started in 2003 as virtually an all-volunteer
20 effort, because Pennsylvania, for all of the wonderful things
21 we have, like the Eagles, not the Bears, and things like that,
22 this is not a State that has always been as progressive or as
23 in the forefront of protecting its kids as it should be. And
24 so one of the things that we struggled with back in 2003 was
25 that this State had a higher threshold with regard to its State

1 Constitution for testimony options for kids. So the Protect
2 Our Children Committee started. We've worked with a number of
3 you on a lot of really good pieces of legislation as time has
4 gone on.

5 The Protect Our Children Committee, long before
6 Jerry Sandusky was arrested last fall, called for a task force
7 on child protection and accountability, because we knew full
8 well that Pennsylvania, for all of its strengths, and we've got
9 some great resources in this State, there were enough places,
10 enough loopholes, and enough cracks in the child protection
11 system that kids were falling through, and there was very
12 little, there remains very little conversation about
13 prevention. We're very much, even when we talk about this,
14 talking about it in what we do in response to it versus how we
15 prevent it.

16 So I thought it important to go back to some of the
17 numbers. The one in six or seven, the one in four, those are
18 really telling numbers, but if you look at Pennsylvania, last
19 year there were more than 1,800 victims of child sexual abuse
20 in Pennsylvania. Put that in context that last year there
21 were 11,000 cases of childhood cancer diagnosed. So that was
22 1,800 cases of child sexual abuse that were confirmed.

23 If you really look at it, it's important to
24 understand that that is only the kids who were violated by a
25 parent, a parent's paramour, or someone else living in the

1 house. This State has a definition of "perpetrator" that's
2 more about parents and the person who is directly responsible.

3 So in addition to those 1,800 kids, there were
4 another 3,800 calls that came into ChildLine, that ChildLine
5 said thank you to the adult who called that in, but this is not
6 the right place to handle it because it wasn't necessarily the
7 parent or the parent's paramour or someone living in the house.
8 So another 3,800 calls went to people like local police and
9 D.A. Marsico for investigation. So right there, you're now at
10 more than 5,000 reports or kids last year who were the victim
11 of child sexual abuse. And we know, my friends at PCAR and
12 others can speak to this better than I that we know that there
13 are so many more times that those numbers, there is not the
14 report; it doesn't get captured in a statistic.

15 So the numbers, any way you look at it -- one in
16 seven, one in six, one in four -- any way you look at it, it's
17 sobering. It is sobering. We have months about childhood
18 cancer, we have long conversations about autism, and we should,
19 but we really don't have the same sense of outrage, urgency, on
20 behalf of child sexual abuse and child abuse as we do about
21 other things, and yet we know it's a public health issue. It
22 is absolutely, positively, child abuse is so consequential and
23 so costly.

24 Just recently the Centers for Disease Control came
25 out with a study, and they estimate that on an annual basis, on

1 an annual basis, the cost of child abuse and its impact in this
2 country is \$124 billion. That's annually. When people really
3 want to look at budgets and things like that, we really need to
4 be talking about prevention. We really need to be talking
5 about it.

6 I think Al, who this is my second time getting to be
7 with him, Al was fantastic in reminding us all that this is a
8 crime. This is an act against a child that long has a ripple
9 effect. It has a ripple effect in our drug and alcohol system.
10 It has a ripple effect in our criminal justice system. It has
11 a ripple effect in Dr. George and medical practitioners. And
12 so we really have to start to approach it and say, we've got to
13 change the story. We have to change the story for these kids,
14 but we have to change the story for State budgets and Federal
15 budgets as well.

16 The other thing that has been talked about today
17 that's so important is, 93 percent of kids are abused by
18 someone they know -- parents, schools, law enforcement. We all
19 spend some time, and I've done it; I've got these little people
20 I hang out with all the time in my house, and I'm always
21 talking about, you know, don't get in the car, don't do this.
22 And especially the man who's looking for his puppy, don't be
23 swayed by the puppy story, because I've got a daughter who
24 would hop in the car in a second to help you find that
25 puppy.

1 Now that my children are starting to play youth
2 soccer and things like that, you realize how often their lives
3 are touched by other adults in a way. And so I use my own life
4 experience with my son to paint an example of why it's so
5 important, as Representative Gingrich's legislation becomes
6 enacted, and I am confident after her cheerleading today and
7 her good work it will, that we really make sure we do this
8 right, we really talk to kids right, and what do I mean by
9 that?

10 Well, on the morning after Jerry Sandusky was
11 convicted, all over, probably in your newspaper just like mine,
12 was this really blown-up picture of Mr. Sandusky being led away
13 in handcuffs to prison. So my 6-year-old son looks at me and
14 he says, "What's that about, Momma?" And I said to him, "Well,
15 he hurt a lot of children." And my son perfectly looks at me
16 and says, "Are you sure, Momma? Because he looks like a really
17 good guy." So then I, you know, did the little mom thing
18 about, no, sometimes people, they hurt children and things like
19 that, and so then again he turned to me and he said, "I'm still
20 just not convinced, Mom. He was a coach." And so it really,
21 as a parent, in some ways sent shock waves through me, because
22 I have to be real as a parent that my child is not at risk by a
23 monster. My child is at risk if I'm not willing to talk with
24 them, be open with them, encouraging the school to talk with
25 them and educate them as well, because my children need to know

1 that the threats that come to them can come to them in any
2 place -- from their grandfather, from their uncle, from their
3 aunt, from the coach, and things like that.

4 I had a day-care provider once tell me that one of
5 the things that she did in her school is that she would try to
6 talk to kids and she would ask them to draw a picture of a
7 monster. If you do this with your own kids, your grandkids, I
8 can assure you, tonight when I go home, it will look much more
9 like Darth Vader in my house than the soccer coach, and so we
10 really have to be very careful about our language.

11 If you pick up the media stories that Representative
12 Gingrich keeps talking and referencing, so many of them will
13 talk about the monster and the predator, and even I do that as
14 well, too. And clearly what happens to our kids is monstrous
15 and it is torturous and it is painstakingly the hardest
16 experience you'll ever have in your life, but it doesn't happen
17 at the hands of monsters. The act itself is monstrous, but it
18 happens at the hands of coaches and teachers and schoolteachers
19 and Catholic priests and everyone, and we've got to be real
20 about that. So any training we do, we have to be very careful
21 about that.

22 The other thing is, and in some ways I feel like Al
23 did a great job and I could stop my testimony at some point,
24 because one of the other things is that we often talk to kids
25 in terms of good touch/bad touch. Well, we need the real

1 experts, the Dr. Georges and the PCARs and others, to work with
2 us on that, because as Al just said, our bodies, they respond,
3 and so when you're that child and your body is responding and
4 it's responding in a way that nature has made it to respond,
5 that does not mean that you are enjoying it; it does not mean
6 that you want it. And one of the ways that perpetrators really
7 get the upper hand continuously with kids is that they say that
8 to you. They say, well, you know you like it; your body is
9 responding this way. If we're not talking to our kids about
10 healthy sexual development and how your body responds -- and it
11 is squeamish stuff, trust me. I'm a parent, and every day I'm
12 going--- My daughter is preparing for her first sleepover this
13 weekend. I am nuts about it. Like, how much do I talk to her
14 about it? What do I do? You know, how trustworthy is
15 everyone, and things like that. So it's really nerve-racking
16 as parents, but we've got to be honest about it. Parents have
17 to do it; schools have to talk about it in a very open way.

18 So it seems as though originally we could have done
19 this hearing with just the testimony of a 15-year-old from
20 Cumberland County last year, although hearing the testimony
21 today, I'll re-change that as well. But there was this young
22 girl last month in Cumberland County court, 15 years old. She
23 helped put someone who had violated at least 4 children away in
24 prison, having been convicted on 42 counts of sexually abusing
25 children -- 42 counts. The youngest victim was 3 years old.

1 The case came to be known, because the 4-year-old involved in
2 the case appeared to have signs of sexually transmitted
3 diseases. That was the second group, at least the second group
4 of victims that this person had perpetrated against. The first
5 was this group who are now teenagers.

6 And so this 15-year-old testified in court, and she
7 said -- and I'm going to turn to my testimony to get this
8 right. During the course of the trial, the 15-year-old girl,
9 who had been sexually assaulted over the course of many years,
10 testified that she thought that what was happening to her --
11 the strip poker that led to sexual acts -- was part of what
12 "every kid did." She testified to how the perpetrator said he
13 was just "teaching" her about "how to have sex...that it was
14 all right, that he was doing nothing wrong." And so there's
15 the chilling part, but here's the really powerful "change the
16 story" part: She also testified that if it had not been for a
17 course in her fifth grade class where someone talked to her
18 about sexual abuse, she would have never known that that was
19 not part of what her life story should have been or what every
20 kid experiences.

21 And so we should today honor the enthusiasm of
22 Representative Gingrich, the bravery of Erin and Al, and we
23 should honor this young woman and we should advance this
24 legislation, because she changed the story for herself and for
25 every kid going forward. If she had not had that course in

1 fifth grade, if she had not thought differently about what it
2 is that's appropriate and not appropriate, rest assured, likely
3 her perpetrator would still be grooming children and still
4 would be victimizing children.

5 The schools are a great place for a lot of the
6 points of Representative Roebuck. As a parent, you don't want
7 to cede your authority or your responsibility to anyone. I get
8 that. I mean, I get that big time, especially now that I'm a
9 parent. But there is also this thing about the fact that the
10 schools are a place where every child in some way gets equal
11 access to some level of information. There are going to be
12 families, even if there's not abuse going on, there are going
13 to be families, the good Catholic family potentially, who
14 doesn't want to talk with their kids about it. So I think it's
15 really important that we build upon it inside of the
16 schoolwork.

17 I won't talk about it, because we've already talked
18 about it a little bit, but this would be, in a lot of ways,
19 this would be a way Pennsylvania could lead. We're oftentimes
20 kind of picking up the slack and carrying the end and saying,
21 oh yeah, that child protection stuff, we're going to get to
22 that. But this is a way, thanks to Representative Gingrich,
23 that we could actually be one of the States that's in the
24 forefront to say, we are absolutely going to say we're going to
25 fix the laws around reporting, we're going to fix the laws

1 around defining, but we fundamentally want to say that we want
2 to change the story for every child in Pennsylvania, and we're
3 going to have prevention be a priority and we're going to pass
4 HB 2318, and we should do it in the 8 or 10 days that you all
5 have left to do.

6 You can look to Michigan; you can look to Illinois;
7 you can look to Vermont. The other thing that's neat about
8 Vermont is, even before Erin -- you know, how do you say no? --
9 even before Erin was doing this, Vermont had a statewide task
10 force. They utilized the expertise of folks, and they put it
11 as part of the health curriculum. So we really could build
12 upon those things.

13 In terms of specifics, I think for me it was just a
14 little uncertain, it just seemed like the words "sexual abuse"
15 should be there, "child sexual abuse," that we should
16 potentially be mirroring the language of Title 23 around
17 defining "child abuse" or Title 18 a little bit more, but I
18 might be confused about that.

19 The other thing is that one of the things that I
20 think we really need to be doing in Pennsylvania is connect the
21 dots. It's great, and I think this is clearly the leadership
22 of the Department of Education, but we should be thinking about
23 other ways we can approach this and other prevention efforts
24 that are multidisciplinary across departments: What's the role
25 for the Department of Health? What's the role for the

1 Department of Public Welfare?

2 And also, one of the things that's interesting is,
3 to Representative Smith's point, you know, this is clearly
4 tight times in a lot of ways for a lot of institutions and a
5 lot of organizations. One of the things that we should think
6 about is how do we build upon things and leverage things we
7 already finance? We've got a great -- you've got the oldest
8 statewide coalition against sexual violence in the country here
9 in Pennsylvania through the Pennsylvania Coalition Against
10 Rape. You've got great folks like Jenny and her program in
11 Representative Gingrich's backyard. You're funding them in
12 some ways. Let's use them. Let's figure out, how do they
13 become the resource with the Department of Education as they
14 develop those guiding principles and everything like that?

15 And then just a moment on Act 126 that was talked
16 about already. This is really, like, I'm usually one of the
17 people who is kind of saying, we should do this; we're not
18 doing enough. This is really hopeful times. You've got the
19 task force on child protection, but you have Act 126. I think
20 one of the things that was interesting about Act 126 and
21 passing it to make sure that school professionals have training
22 about recognizing and reporting child abuse is I think it has
23 been a real wake-up call to officials in the Department of
24 Education as to how many people are actually doing this and the
25 fantastic resources. Let me assure you, we may not be talking

1 about it, they may not be on the front page as much, these
2 stories, but this State is rich in resources and experts in the
3 prevention, the investigation, the protection of kids. We're
4 just not making it a front and center priority conversation.

5 So, you know, this is the first time I've ever been
6 at a legislative hearing. You could be ahead of schedule. So
7 I will end there, but again, I do want to just say that, you
8 know, it was a little -- I love Representative Gingrich, so
9 when she called and said, hey, will you do this, I was torn,
10 because as I said, as that survivor, as that advocate, as that
11 parent, I found myself thinking, but isn't this continuing
12 putting the burden on the child? And I am really wrong about
13 that. This is exactly what I should have had as a kid and it's
14 exactly what I would want my children to have, which is an
15 absolute assurance that they will have right information at the
16 right time. And then combine that with Act 126 in other ways,
17 I will absolutely, positively make sure that my kids have
18 adults to turn to.

19 And the only other thing that I would say is each
20 and every moment, we should figure out how no child in this
21 State is ever without at least one adult, protective and
22 loving, in their lives, because that will make all the
23 difference and that will change the story for generations to
24 come.

25 And I thank you, Representative Gingrich. This has

1 been a great day, and I thank you very much for your
2 championing of it.

3 MAJORITY CHAIRMAN CLYMER: Thank you, Cathleen, for
4 your testimony and for your personal experiences that have
5 occurred to you in your lifetime and for being part of an
6 organization to help those who are exploited sexually by
7 predators.

8 The Chair recognizes Representative Gingrich.

9 REPRESENTATIVE GINGRICH: Cathleen, you speak like a
10 machine gun, and I understand every word you say. Now, that's
11 an art form.

12 MS. PALM: I was so glad there wasn't a typist here.
13 I feel bad for them all the time.

14 REPRESENTATIVE GINGRICH: Honest to goodness, thank
15 you so much. You packed a lot in there. And of course the
16 epiphany part of it was very, very appreciated by me, believe
17 me. But that's the very real aspect of those two testifying,
18 that are telling us it would have made a difference to them.

19 MS. PALM: Yes.

20 REPRESENTATIVE GINGRICH: Okay. So now we have to
21 do it, all right? We know, we all agree we've got to do this.
22 We always look at, and I sure do, you don't want to impose upon
23 a child's innocence any more, right? It was supposed to be
24 great to be a child. It still is. We just don't live in the
25 Donna Reed or "Father Knows Best" world where you've got the

1 apron and the pearls on. I don't know who really did the
2 cooking in those shows. But those days are gone and life's a
3 little different for the kids. But this is very sensitive
4 stuff we're talking about, really sensitive stuff. Our biggest
5 challenge is not getting this into statute, you know, it's
6 going to be putting the right program together. And I think it
7 is going to take all of those experts and people experienced.
8 I mean, it's going to go from survivors to people who are
9 advocates and professionals in other ways to work with the
10 Department of Ed, won't it?

11 MS. PALM: Yes.

12 REPRESENTATIVE GINGRICH: I mean, you know, the
13 Department of Ed has been great and they want to do this, but
14 this is an opportunity for us to pool things together like
15 we've never done before.

16 MS. PALM: Yes. I think the other thing that I
17 should note is that I think Representative Roebuck has
18 rightfully raised the issue about the potential pushback from
19 parents, and the Department of Education has been fantastic,
20 but I think we should also have our eyes open to the possible
21 pushback from schools, and I'll just use another example.

22 Last year, I got a note -- and my daughter was in
23 second grade last year -- got a note that there had been a lot
24 of disrespect and that the kids really weren't talking very
25 nice and behaving very appropriately with the teachers, so they

1 were going to do this 3-day course to talk to kids about
2 appropriate ways to interact with adults. I kind of laughed,
3 because I always say to my daughter, "Do you talk to your
4 teacher like that? Because if you don't, don't talk to me like
5 that," because my kids are very respectful of the teachers, not
6 as much of mom and dad. But what it reminded me, when I
7 outreached to the school and I said to them, I'm totally for
8 this; I want my kids to be respectful; I want them to honor
9 authority, but we are a house where I have also taught my
10 children and will continue to teach my children that they have
11 the right to say no to adults within some context, and so are
12 you incorporating that into this conversation? And very kind,
13 but very accurate and very front and center was, we think that
14 will confuse them; they have to understand that adults are the
15 authority; they have to respect them and they have to listen to
16 them.

17 So, you know, we had some more back and forth.

18 Ultimately, they had this course, and I did what I do in my own
19 home and talked to my kids about it within the context of what
20 the school had taught them. But I do think that that is a real
21 challenge that we've got to get people to think about, too, is
22 it is this tough, and we have some real issues in Pennsylvania
23 with school abuse and some things in the school setting, but I
24 do think that's one thing that we also have to have our eyes
25 open about as we move forward, because I think the schools

1 worry a little bit about potentially how much you open up kids
2 to understanding, too, what's not appropriate as it relates to
3 the schoolteacher or someone working within the school setting.

4 REPRESENTATIVE GINGRICH: Oh, I understand that, and
5 that's what I mean by sensitive all around. That's why I think
6 it's so important that we pool the resources and the expertise
7 together to do this right.

8 MS. PALM: Absolutely.

9 REPRESENTATIVE GINGRICH: So thank you very much,
10 Cathleen.

11 MAJORITY CHAIRMAN CLYMER: Cathleen, I do have kind
12 of an observation and thinking about how we can cut down on
13 these sexual predators. One of the problems that I see, and I
14 don't know to what degree it's that manifested in society, but
15 single moms, however they're a single mom, work at kind of a
16 disadvantage in bringing up that child, and this is how it's
17 done: Some male authority will come in and say to the mom,
18 listen, I can take your children for an overnight trip; I can
19 take care of them. This does happen immediately, and the
20 mother, trusting that person, thinks, well, that male
21 companionship is good for the child, usually the male child,
22 and by darn if it's not a sexual predator that's out there
23 doing his thing. And I just share that because I know that's
24 an issue out there, and how do we protect these single moms
25 who, you know, they work all day and they have household duties

1 and they have to get involved with their children's, you know,
2 schoolwork. It's just an issue that maybe as a committee and
3 maybe you in your position we can look at and figure out how we
4 can help these single moms under these circumstances. So any
5 thoughts would be---

6 MS. PALM: Well, I think it's a powerful observation
7 and reminder that kids who are vulnerable are more vulnerable
8 and easier to take advantage of. In my own situation, I was
9 raised by a single mom because my dad died and my mom was left
10 with four kids between the ages of 10 and 14, and sure enough,
11 the person who was able to victimize us was the person who
12 said, oh, you can't get that child to the dentist? Oh, I'll
13 take them to the dentist for you, and things like that, and so
14 we do. And so I think the message is less about single or
15 married or the type of family as much as we really, really have
16 to find ways that children are less vulnerable in whatever
17 family setting they are, and we really have to honor and
18 respect families and support parents.

19 We talk a lot about things in society, but we really
20 aren't very honest with how tough it is to parent and how tough
21 it is to parent when you have additional stressors, like the
22 death of a spouse or the loss of a job or the loss of a home.
23 And so this all gets back to prevention. If we were more
24 honest and real about prevention and we were more honest and
25 real about how tough the job of parenting is, maybe our public

1 policy conversations would be guided in a different direction
2 as well as our media and other conversations.

3 I think it's a great observation, and I think it's a
4 call to action to protect and really strengthen and support
5 every family, regardless of what they look like.

6 MAJORITY CHAIRMAN CLYMER: Thank you for that
7 response, and again, thank you for your testimony. We
8 appreciate you being here today.

9 Our final testifier today is Ed Marsico, District
10 Attorney of Dauphin County. And we're glad to see you here
11 today, Attorney Marsico, and to share your insights into this
12 very important issue that we're discussing today, and you may
13 begin at your convenience.

14 DISTRICT ATTORNEY MARSICO: Thank you, Chairman
15 Clymer. It's an honor to be here today. I'm used to being
16 here in this body but in front of the House Judiciary
17 Committee, so it's a little bit different venue for me being in
18 front of the House Education Committee.

19 My name is Ed Marsico. I'm District Attorney of
20 Dauphin County, and I'm here to speak obviously about HB 2318.

21 Usually as a prosecutor, it's a huge advantage to go
22 last, to give the closing argument after the defense, and I'm
23 the last words that a jury hears other than the judges before
24 they go to deliberate, and I love being last. Here today, I
25 think it's a disadvantage, because there has been some powerful

1 testimony given here before me from survivors, their compelling
2 stories. And it's not new for me to hear stories like that as
3 a prosecutor. Unfortunately, I hear those way too often. But
4 to hear them today, you know, telling their stories and how it
5 dovetails into a need for this type of legislation.

6 Dr. George, who does incredible work here for us in
7 central Pennsylvania at our Children's Resource Center, you
8 know, these children's advocacy centers provide direct
9 services. They are on the ground really helping the kids, you
10 know, that are victimized and getting them medical attention,
11 counseling, legal help through police and law enforcement, the
12 great work that they do. And Cathy Palm who, you know, is just
13 up here beating you guys all the time, as we want her to,
14 keeping children's issues in the forefront.

15 So going last, I've modified my testimony a little,
16 because I don't want to repeat statistics. You've heard them
17 all. You know what they are. They are out there. There are
18 way too many victims of child abuse, way too many cases in my
19 office.

20 Just this week, we convicted an individual for his
21 third child abuse offense. He's facing at least, thanks to
22 this body enhancing penalties a few years ago, facing what will
23 practically be a life sentence for him. So we've done some
24 great work, but I like this bill because I think it looks to
25 the future. As Al said near the end of his testimony, we need

1 to do something to prevent these statistics from continuing to
2 burgeon, continuing to grow. There are great organizations,
3 great people working tirelessly to do that, and this
4 legislation will be another tool, you know, in our toolbox
5 going forward.

6 You know, this legislation is very important. It
7 recognizes a harsh reality, you know, that the world today is a
8 tough place for a kid to grow up. I've got four sons. I know
9 that it's tough for them to grow up. And the crimes we're
10 speaking about here, they happen everywhere, as Representative
11 Smith was saying earlier. You know, these types of crimes
12 occur no matter where. They affect every kid. Regardless of
13 socioeconomic status, every child is at risk, and the odds are
14 overwhelming that if the child is not going to be a victim,
15 they're going to know someone, that kid is going to know
16 someone close to them who will suffer abuse.

17 So as widespread as these crimes are, though, we
18 constantly hear of cases later in life, you know, like Al's, of
19 cases of abuse that go on that are unreported. And there are a
20 lot of reasons for this, as you all well know. You know, it's
21 tough for young children. They do not understand what's
22 happening or don't know where to turn. You know, how do they
23 report this abuse? So the kid's entire childhood might be
24 really defined by these years of repeated abuse, and the abuser
25 remains free.

1 And that's what I like about this legislation. And
2 the District Attorneys Association, you know, one of my
3 colleagues said, this not only identifies the problem, which we
4 know the problem, it recognizes a solution. And the reality is
5 that by spreading awareness of these crimes, we can prevent
6 them. This legislation will ensure that there is awareness and
7 that it begins early, in elementary school.

8 And in some two key respects, the legislation
9 assists our educators in developing appropriate lesson plans.
10 By calling on the Department of Education to develop a model
11 curriculum, yes, the schools have guidance in developing and
12 preventing such sensitive information to children, because
13 while protecting kids is our fundamental objective here, the
14 legislation, I think, properly emphasizes the need for the
15 lessons to be age appropriate as it's developed. And second,
16 it encourages educators and community experts in child abuse
17 work to partner, you know, to develop curricula here.

18 Normally I'm not a fan of legislation, you know,
19 reaching into the educational field and us telling teachers and
20 educators how to do their jobs, but I've learned over the years
21 as a prosecutor, and I've worked in the past with the
22 Legislature in developing certain legislation, that unless we
23 mandate it, it's not going to get done, and I believe that this
24 legislation strikes that balance. You know, as a result of
25 this legislation, children will learn about risks, how to

1 recognize warning signs of abuse. And as those kids grow, you
2 know, this curriculum will develop with them. It will follow
3 them along as they go through their school years, and it will
4 give these children strength. It will give them options.
5 They'll recognize dangerous situations, and they'll know how
6 and what they should do, you know, to report those situations.
7 In that way, children will be in a position going forward that
8 they can look out not only for themselves but, you know, the
9 kids can look out for other kids going forward. So I think all
10 of these efforts as part of this legislation will keep kids
11 safer.

12 You know, as Cathleen said, Pennsylvania obviously
13 in the last year has become notorious for horrible instances of
14 child abuse. Here we have a chance to be a leader, to be known
15 across the country as one of the leaders going forward here in
16 developing cutting edge type of policy and legislation that
17 will help kids. I think this bill addresses a serious threat
18 to Pennsylvania's children, and in doing so, it's not only
19 going to educate children but I believe it will make a true
20 impact. You know, if this law helps one, two, three kids, then
21 it's worth the time and effort that you all have put into it.

22 So I commend Representative Gingrich. She has
23 worked closely, you know, even though she doesn't represent any
24 of my counties, she's right next door, but has always worked
25 very closely with us in the Pennsylvania District Attorneys

1 Association on child abuse issues. I know she has a passion
2 for it, and this legislation I truly believe will have an
3 impact.

4 So I thank you for the opportunity to present
5 testimony. I'm happy to answer any questions that you might
6 have.

7 MAJORITY CHAIRMAN CLYMER: Well, within your
8 position as District Attorney, is there anything that you see
9 that we could do legislatively to help in this effort? Now, I
10 know that we've put in legislation to make it easier for
11 juveniles to give testimony against crimes against them.

12 DISTRICT ATTORNEY MARSICO: Right.

13 MAJORITY CHAIRMAN CLYMER: I know that, but that's a
14 little bit different than what we have here today.

15 DISTRICT ATTORNEY MARSICO: Absolutely,
16 Representative Clymer. Passing that bill, you know, has been a
17 priority for years of my association. PCAR has made that a
18 priority of theirs also over the years. So getting that passed
19 and the Governor to sign that will make these cases a lot
20 easier from a prosecution standpoint.

21 These cases are tough. These are the toughest cases
22 we have to prosecute, without a doubt. They're tough to
23 investigate for the police, because oftentimes the report is
24 made months after the crime. You know, if someone breaks into
25 your car or breaks into your house, you pick up the phone and

1 you call the police right away. The police can investigate;
2 they can gather evidence. With cases like child sexual abuse
3 or child physical abuse, oftentimes that report is made months,
4 years later. You can't get physical evidence in those cases.

5 They're difficult to prosecute, because as was said
6 earlier by some of the witnesses that preceded me, you know,
7 people don't want, jurors don't want to believe that the coach
8 or the priest or the cop is the one committing these. We don't
9 want to hear about this. We like to think that it happens in
10 that 1950's world with the dirty old man that lives down the
11 street that might grab a kid when the kid is walking by, and
12 that's not reality. The reality is, you know, there are
13 pedophiles everywhere in all walks of life. They're more
14 sophisticated nowadays. They good at grooming techniques.
15 And, you know, we've got to let people know, let kids know,
16 what's going on.

17 So I think the Legislature has done a great job from
18 a criminal standpoint giving us the tools, the penalties that
19 were enhanced a couple of years ago, you know, that came out of
20 here that upped some of the mandatory sentences. It is a great
21 tool for us as prosecutors to ensure these individuals be off
22 the street. The guy that was convicted this week here in
23 Dauphin County, you know, had we had these same sentences when
24 he was convicted back in the nineties that you guys have passed
25 recently, he wouldn't have been on the street to commit these

1 crimes. But, you know, we've learned a lot, and I think we're
2 doing things in a smart fashion.

3 Education is important. A couple of years ago we
4 did sexting presentations in the high schools here in Dauphin
5 County, and my association did it across the Commonwealth. You
6 know, it was tough going in the high schools and talking to
7 kids about sexting, taking a picture of oneself naked and
8 sending it to wherever. You know, the girl thinks she's
9 sending it to her boyfriend and that's the end of the story,
10 and then he resends it to 50 other friends of his. You know,
11 going out to the schools, in a local school district here we
12 spent 3 days talking to kids in different periods about
13 sexting. But you could see kids are hungering for that topic.
14 You know, they want to know more about this stuff. Technology
15 has changed the game with a lot of this stuff, so I think
16 hitting the schools is where we can start.

17 MAJORITY CHAIRMAN CLYMER: One of our testifiers had
18 mentioned about child pornography. Now, we know that's evil
19 and that does hurt.

20 DISTRICT ATTORNEY MARSICO: Sure.

21 MAJORITY CHAIRMAN CLYMER: It feeds on the minds of
22 those who are predators. Is that an issue that you have seen
23 over the last 3 or 4 years?

24 DISTRICT ATTORNEY MARSICO: Absolutely. Child
25 pornography, you know, we view child pornography as a

1 photograph of a crime scene. You know, just like we take
2 pictures, if someone is murdered, of a crime scene, child
3 pornography is a photograph of a crime. You know, it's images
4 of criminal acts that have occurred. We've seen an explosion
5 of that with the advent of the Internet -- the ability to share
6 files and photographs, videos, things of that nature. You
7 know, we've done a good job in investigating that. It's a
8 specific area of the law, and the penalties, the Sentencing
9 Commission has upped some of the penalties with regard to the
10 guidelines that those individuals face.

11 So yes, that is a problem. Although I will say
12 this: A lot of the child predators that we see have no child
13 pornography. Predatory behavior is not a learned behavior
14 where, you know, sometimes we have predators that have child
15 pornography, but there are plenty of predators that don't, you
16 know, that we get their laptops, we get their computers, and
17 they don't have any child pornography. So in that sense, we
18 see all aspects of it.

19 MAJORITY CHAIRMAN CLYMER: Okay.

20 The Chair recognizes Representative Gingrich.

21 REPRESENTATIVE GINGRICH: Thank you so much, Ed, for
22 being here with us.

23 You know, I have a spiritual cosponsor on this memo,
24 somebody that you knew well, and that's our deceased friend,
25 Detective Joe Allegrini. I could call this the Joe Allegrini

1 bill.

2 DISTRICT ATTORNEY MARSICO: I think this bill is a
3 testament. For those that don't know, Joe Allegrini was a
4 Lower Paxton police detective. His wife, Jeannie, is here.

5 REPRESENTATIVE GINGRICH: Is right here; works with
6 us.

7 DISTRICT ATTORNEY MARSICO: She works here in the
8 Legislature with you, and she has raised thousands of dollars
9 for our Children's Resource Center here in Joe's name. And Joe
10 specialized in these types of cases, working and investigating
11 these cases. And his dedication, you know, he is one of those
12 guys that inspired the prosecutors in my office who, trust me,
13 these cases get tough. You know, it's tough to do them week in
14 and week out, month in, year in, year out. But Joe Allegrini
15 was one of those guys who, you know, he had that fire to bring
16 justice for these kids, and his enthusiasm spread, and it
17 continues to today.

18 REPRESENTATIVE GINGRICH: Oh, they do. Absolutely
19 he did, and he enlightened me initially to the broader spectrum
20 of what's happening here.

21 Can you take a minute to talk about the active role
22 that law enforcement plays with the CRCs?

23 DISTRICT ATTORNEY MARSICO: Sure.

24 REPRESENTATIVE GINGRICH: At least you know them
25 here in Dauphin County, because I'm so impressed with the

1 commitment, the dedication, and the diligence of law
2 enforcement on this issue.

3 DISTRICT ATTORNEY MARSICO: The Children's Resource
4 Center that we have here in central Pennsylvania, or children's
5 advocacy centers as they're known throughout the Commonwealth,
6 came about about 15 or so years ago as a way, we wanted to make
7 our cases better, first of all, from a selfish prosecution
8 standpoint, but we wanted to help the kids. And what the
9 centers provide is one-stop shopping. The child victim goes
10 there, they tell their story once, and there is a police
11 officer there, a prosecutor there, a victim advocate who can
12 help them through the system. There's medical, Dr. George, you
13 know, medical personnel are there to help them, and Children
14 and Youth Services workers are there.

15 Prior to that, a kid had to tell the story 10 times.
16 They might tell a cop they were abused, then they would have to
17 tell the DA, then they would tell a Children and Youth worker.
18 Then if they went to a doctor, they would tell the doctor. It
19 was repeated and they were re-victimized over and over. So,
20 you know, we set up these centers to make one-stop shopping to
21 assure the kid is going to get medical treatment, to get
22 counseling if they need it, to have a victim advocate walk them
23 through the system when the DA is too busy actually trying the
24 case, and we have made better cases as a result of it.

25 The interviewers -- they're forensic interviewers --

1 are trained so that they're not putting words in the kids'
2 mouths. You know, that was a huge step forward from when I
3 started in the office 20-some years ago. You know, we weren't
4 trained interviewers. We were talking to the kids, and we did
5 have instances where kids were tainted in that interview
6 process. That doesn't happen anymore.

7 In Dauphin County, we were the first county in the
8 State to start videotaping the interviews of the kids. It was
9 somewhat controversial when we started doing it. You know,
10 other prosecutors and cops across the State were giving us some
11 grief saying that might cause us more problems. Now everybody
12 does it. We videotape the interviews. We show the defense
13 counsel, look, the kid wasn't tainted, and as a result, we get
14 a lot more guilty pleas than trials than what we used to have.

15 So, yeah, the children's advocacy centers, look, a
16 lot has been made the last year about, you know, what do we
17 need to do better in Pennsylvania? And I think that's
18 something we do well. The problem is, the funding for those
19 centers is something, back to Representative Clymer's question,
20 I guess that's where you can help us. You know, those centers
21 that provide direct services to these kids that are victims
22 have to be fully funded. And we have to expand them into areas
23 where we don't have them. But we're fortunate here in central
24 PA---

25 REPRESENTATIVE GINGRICH: Right. We want one in

1 Lebanon, so we're first on the list.

2 DISTRICT ATTORNEY MARSICO: And, you know, there are
3 a lot of places that don't have them.

4 REPRESENTATIVE GINGRICH: I've been impressed ever
5 since I learned of the system that the CRC uses, the role that
6 law enforcement plays and the sensitivity that's involved. I
7 learned that through Officer Joe Allegrini, so he's with us
8 today.

9 Thanks, Ed.

10 DISTRICT ATTORNEY MARSICO: Thank you.

11 MAJORITY CHAIRMAN CLYMER: The Chair thanks the
12 gentlelady and recognizes Representative Smith for a question.

13 REPRESENTATIVE SMITH: Thank you, Mr. Chairman.

14 And thank you, Mr. Marsico, for your testimony and
15 taking your time. As I said earlier, in Lackawanna County we
16 have a children's advocacy center. They do a great job, and of
17 course they're tightly associated with our District Attorney's
18 Office, and our District Attorney, Andy Jarbola, and his staff
19 do a marvelous job in bringing all that together.

20 My question was going to be, to you as a prosecutor,
21 how do we prevent this from happening? But as you said,
22 spreading awareness -- spreading awareness. And if I could
23 just make a comment. You know, my evaluation of this afternoon
24 and all the testimony is that we need to take this horrible
25 crime and take it from the shadows of life and put the light of

1 day on it so that everybody understands that, one, it is not
2 the fault of the child; and two, that this is a horrible crime
3 that can be, in most cases, prevented. Awareness.

4 Thank you.

5 DISTRICT ATTORNEY MARSICO: Thank you,
6 Representative Smith. You said it better than I could.

7 MAJORITY CHAIRMAN CLYMER: Seeing no further
8 questions, we appreciate your testimony here today,
9 Mr. Marsico. Thank you for your good work as District Attorney
10 here in Dauphin County.

11 DISTRICT ATTORNEY MARSICO: Thank you. Good to see
12 you again, Representative.

13 MAJORITY CHAIRMAN CLYMER: And the Chair would like
14 to thank all the testifiers for taking time from your busy
15 schedule to be with us and share in this very important issue
16 of child sexual exploitation. I think this was very, very
17 helpful and very meaningful to the Members of the committee.

18 Thank you to staff for your diligence and for your
19 hard work. We appreciate it. I do see that Dustin Gingrich
20 came in a little bit later, also on staff, when I was making
21 announcements.

22 And at this time, we are now adjourned. Thank you
23 again.

24

25 (The hearing concluded at 3:35 p.m.)

1 I hereby certify that the foregoing proceedings are
2 a true and accurate transcription produced from audio on the
3 said proceedings and that this is a correct transcript of the
4 same.

5
6 Debra B. Miller

7 Committee Hearing Coordinator/

8 Legislative Reporter

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