

# Perspectives on Childhood Sexual Abuse and Bankruptcy



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**Professor Marci A. Hamilton**  
Founder and CEO, CHILD USA

# Survivors' Voices



Tom Krumins: Experience of the Chapter 11 System for CSA Victims



Matt Connaty, Esq.: Nonmonetary Elements of Chapter 11 Settlement



## Non-Monetary Settlement Undertakings

As part of the settlement between the Catholic Diocese of Wilmington, Inc. and survivors of clergy sexual abuse, certain non-monetary undertakings were agreed to. These include two mutually agreed upon lists of non-monetary stipulations.

- [Non-Monetary Undertakings of the Catholic Diocese of Wilmington, Inc.](#)
- [Non-Monetary Provisions Relating to Documents](#)

As stipulated in the documents, the Diocese of Wilmington is required to post on this website, the names of all known diocesan clergy or lay employees regarding whom there are admitted, corroborated or otherwise substantiated allegations of sexual abuse, molestation and rape of minors. Here is that list:

- Paul Calamari\*
- Edward B. Carley<sup>1</sup>
- Eugene F. Clarahan<sup>1</sup>
- Francis P. Cornely<sup>1</sup>
- Francis G. DeLuca<sup>1</sup>
- Douglas W. Dempster
- Henry J. Dreyer<sup>1</sup>
- Edward F. Dudzinski<sup>2</sup>
- Richard F. Gardiner<sup>1</sup>
- Peter J. Harney<sup>1</sup>
- William E. Irwin<sup>1</sup>
- John A. Lind<sup>1</sup>
- Leonard J. Mackiewicz<sup>1</sup>
- Kenneth J. Martin
- Joseph A. McGovern
- John F. O'Brien<sup>1</sup>
- William J. Porter
- Walter D. Power<sup>1</sup>
- Francis J. Rogers
- John A. Sarro<sup>1</sup>
- Gerard C. Smit\*
- Carmen D. Vignola<sup>1</sup>
- Harry D. Walker<sup>2</sup>
- Harry P. Weaver<sup>1</sup>
- Charles W. Wiggins

\*Priests of other dioceses who, at one time, worked in the Diocese of Wilmington.

*“Childhood trauma is our single largest public health issue – more costly than cancer or heart disease”*

**Bessel van der Kolk**

Author, *Body Keeps the Score*  
(statistic sourced from the CDC)

## What is Trauma?

A psychological and physical response to distressing behaviors or events.

- Acute – single event (e.g., car accident)
- Chronic – repeated exposure (e.g., witnessing gun violence)
- Complex – repeated, invasive abuse at the hands of a trusted individual (e.g., sexual abuse by a parent)
- Traumatic stress leads to long-term physical and mental health problems

## Trauma and the Brain

### Activation of Survival Response

- Trauma triggers the release of stress hormones.
- Intrinsic reward systems adapt to a state of hyper-vigilance.
- Victim-survivors struggle to feel calm and present. Oftentimes, moments of safety are the most unsettling.
- Nonproductive behavior patterns make it difficult to engage in daily life and learn from new experiences.

### Inability to Process Memory

- Most memories are encoded in relation to one another and to a broader narrative
- Traumatic memories are not evaluated through this typical process. Victim-survivors relive the incident in vivid detail without any changes.
- The state of hyper-vigilance makes it difficult to encode future memories, leaving victim-survivors trapped in their worst moment.

## Trauma and the Brain

### Mental Symptoms

- Depression/Anxiety
- Flashbacks
- Insomnia
- Irritability
- Ticks
- Confusion
- Memory loss
- Mood swings
- Nightmares

### Negative Coping Mechanisms

- Drug/alcohol abuse
- Withdrawing from public gatherings or social events
- Avoiding specific locations or activities
- Unwilling to eat and/or overindulging in food
- Compulsive behaviors
- Pushing away partners or loved ones

### Physical Symptoms

- Physical pain & soreness
- Digestive issues
- Headaches & migraines
- Appetite changes
- Hyper-reactivity to stimuli (e.g. temperature changes, noises)
- Tachycardia

Ch 11 bankruptcies do not follow the timeline of a survivor's recovery. They are merely **a snapshot in time.**

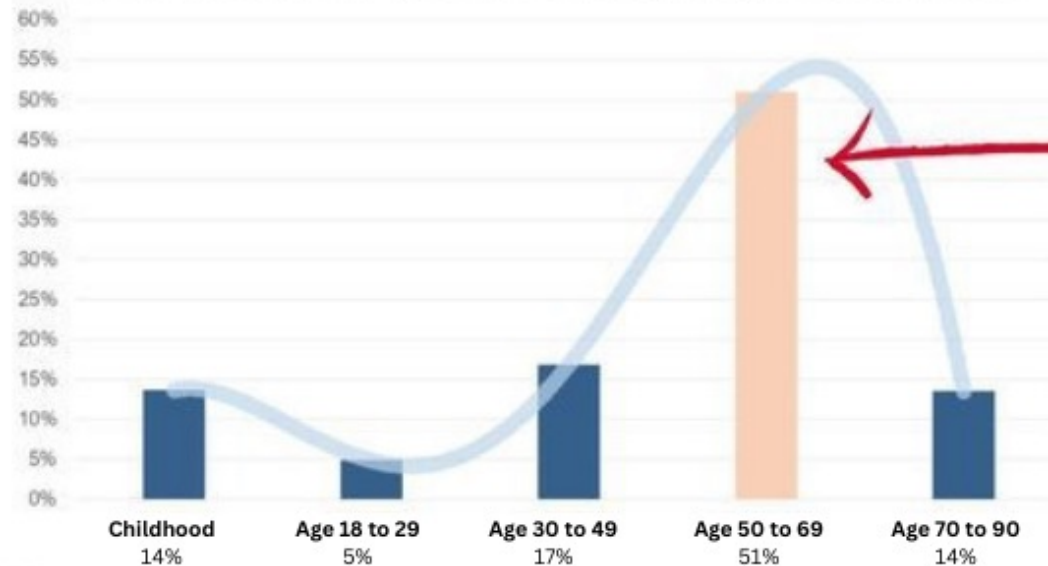
Over **80,000 survivors** filed claims in the Boy Scouts of America Ch 11 bankruptcy.

Many others are not ready to come forward with their stories in such a public way.

## DELAYED DISCLOSURE OF CHILD SEXUAL ABUSE

Delayed disclosure is the phenomenon common to survivors of child sex abuse where individuals wait for years, often well into adulthood, before telling anyone they were abused.

Age of First Disclosure of Survivors of Abuse in Boy Scouts of America



More survivors first disclosed between **age 50 and 70** compared to any other age group

**Over half** of survivors who reported first disclosed at **age 50 or older**

**30%** never come forward

## Core Principles of Trauma-Informed Practice

Basic knowledge of the impacts of stress on the brain and body

Consistent emphasis on safety, trustworthiness, choice, collaboration, and empowerment

Consistent emphasis on the way in which a services is provide

Consistent emphasis on what may have happened to a client, rather than what is “wrong” with a client

Recognition that “difficult” behavior may be the product of coping mechanisms and attempted self-protection

A “strengths-based” approach which acknowledges people’s skills, notwithstanding the enormity and effects of their traumas



“Self-compassion helps lawyers to understand how their own well-being is fundamental to providing best practice for their clients and important for coping with indirect trauma.”

**Colin James**

Psychiatrist & Author,  
*Towards trauma-informed  
legal practice*

## **The Takeaway? Be present.**

Representing victim-survivor clients may appear to be a daunting effort with extensive recommendations on what to do and what not to do.

The best way you can effectively represent your client is to remain present, listen, engage, and communicate. ***Trust your instincts, and your client will learn to trust you.***

# Q & A

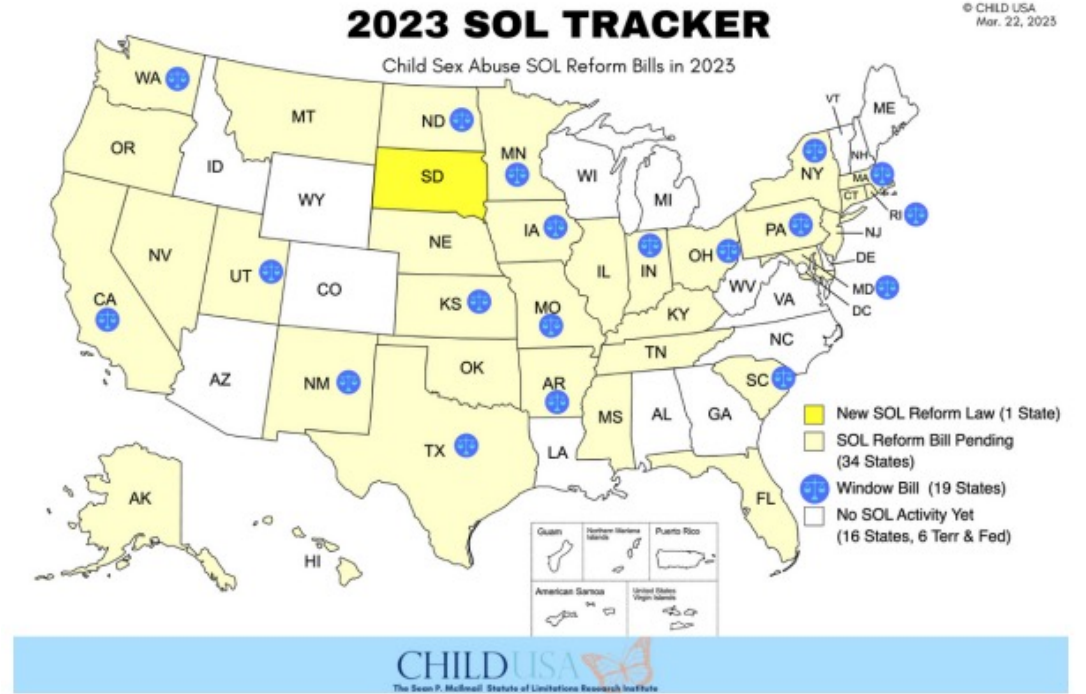


[www.childusa.org](http://www.childusa.org)

Visit our website for the most up-to-date information on the movement for children's rights.



Scan here for our 2023 SOL Tracker



Our SOL reform bill tracker is the source for attorneys representing child sex abuse survivors.