

position? Who is the one that goes into the nursing homes? Who is the one that deals with a physically abused adult? Who is the one that receives the information? A physician. But under the Landis amendment you would eliminate the physician and under the Landis amendment you would now say the clergy must report in child abuse. Now I guarantee you he can say it but it isn't going to happen. You are not going to by law, change what priests do in a confessional. And he can say it but you are not going to break or destroy the attorney-client privilege. So as a lawyer I am overwhelmed by another lawyer saying you are going to be able to compel a priest to testify or that you are going to be able to compel an attorney to destroy the attorney-client relationship because it won't happen and if it is countered or offered to me, "well, that is the way we did it in '73," I would simply submit to you, "indeed, now it is time to correct it and we have." And if you take the physician out of adult abuse then the one area where you might be able to accomplish some good, you are eliminating. You think the priests are going to be the ones to report adult abuse for you? You think the lawyers are going to be the ones? The general public? Maybe some but the essence of it is going to have to come probably from the physician. So I would urge you to maintain the bill precisely as it is now and if you think the concept is good, then you've got it in as good a form as you are going to get it. Remember this. We do compel physicians to report such things as gunshot wounds, venereal disease. We have a system, we have a standard and it has worked. To now suddenly exempt them from reporting and order priests to start reporting things is just a little bit of folly in my humble opinion. I would ask Senator Landis three very super quick questions in finishing here. Senator Landis, do you sincerely believe your law is going to compel any priest to break the secret of the confessional which is what you are ordering to do in child abuse?

SENATOR LANDIS: Ultimately it is a matter of conscience and the clergy will decide for themselves.

SENATOR DeCAMP: You are ordering them by this amendment to do that. Is that correct?

SENATOR LANDIS: No, existing law orders them to do that.

SENATOR DeCAMP: No, you amended that.

SENATOR LANDIS: Exactly and existing law...if 335 doesn't change orders them to do that, that's right.

SENATOR DeCAMP: As the bill is you are ordering him to do that...