



## Clergy: Answerable to God or State

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May 4, 2025

Towards the end of this year's legislative session, the Washington State Legislature passed a bill (SB5375) making all clergy mandatory reporters of abuse, with no exemptions for the privileged communication between priest and penitent during the Sacrament of Reconciliation. This means that by Washington State Law, Catholic clergy are now required to violate the seal of the Sacrament of Reconciliation, better known to many as confession. On Friday, May 2, 2025, Governor Ferguson [signed the bill into law](#).

This weekend at Mass, the first reading was from the Acts of the Apostles. After the apostles were arrested and thrown into jail for preaching the name of Jesus Christ, St. Peter responds to the Sanhedrin: "We must obey God rather than men" (Acts 5:29). This is our stance now in the face of this new law. Catholic clergy may not violate the seal of confession – or they will be excommunicated from the Church. All Catholics must know and be assured that their confessions remain sacred, secure, confidential and protected by the law of the Church.

The Catholic Church agrees with the goal of protecting children and preventing child abuse. The Archdiocese of Seattle remains committed to reporting child sexual abuse, working with victim survivors towards healing and protecting all minors and vulnerable people. Our policies already require priests to be mandatory reporters, but not if this information is obtained during confession.

The Catholic Church in the U.S. has been committed to preventing sexual abuse for many decades, reporting incidents of abuse to law enforcement and cooperating with civil authorities. In the Archdiocese of Seattle such efforts began in 1986.

While we remain committed to protecting minors and all vulnerable people from abuse, priests cannot comply with this law if the knowledge of abuse is obtained during the Sacrament of Reconciliation.

### Three-year history of this bill

Various forms of this bill attempted to provide limited protections for privileged communications, but those accommodations for religious practice prevented this bill from passing in previous legislative sessions. Conversations between the Washington State Catholic Conference staff and legislators and efforts to collaborate on an amicable solution eventually failed this session ushering this most extreme version of the bill to pass and receive the Governor's endorsement. What began as a well-intentioned effort, ended in a problematic and unnecessary version of the bill signed into law.

Once the approved bill went to the Governor for his signature, the Bishops of the State of Washington asked for a meeting to discuss our concerns with the Governor who unfortunately did not respond to our request.

## Constitutional Amendment Rights

The First Amendment of the U.S. Constitution states, "Congress shall make no law respecting an **establishment** of religion, or prohibiting the **free exercise** thereof."

With this law, the State of Washington is specifically targeting religious conduct by inserting the government into the Catholic tradition, namely, the highly defined ritual of the Sacrament of Reconciliation. The state is now requiring priests to violate an essential element of the rite, the confidential communication between the priest and penitent in which the absolution of sin is offered.

This law also attempts to supersede the Code of Canon Law, which states:

Canon 983: The sacramental seal is inviolable; therefore, it is a crime for a confessor in any way to betray a penitent by word or in any other manner or for any reason.

Canon 1388: A confessor who directly violates the seal of confession incurs an automatic (*latae sententiae*) excommunication reserved to the Apostolic See.

Once the state asserts the right to dictate religious practices and coerce information obtained within this sacrament - privileged communication - where is the line drawn between Church and state? What else may the state now demand the right to know? Which other religious practices will it try to legislate? Why is this privileged communication between priest/penitent the only one singled out? Why not attorney/client? Doctor/patient? Spouses?

This new law singles out religion and is clearly both government overreach and a double standard. The line between Church and state has been crossed and needs to be walked back. People of every religion in the State of Washington and beyond should be alarmed by this overreach of our Legislature and Governor.