

STATE OF MINNESOTA  
COUNTY OF KANDIYOHI

DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT

Case Type: Personal Injury

Court File No. 34-CV-15-762

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John Doe 123 and John Doe 124,

Plaintiffs,

v.

Peter Clare Hoagland and Pete's  
Communication Inc.

Defendants.

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**AFFIDAVIT OF DAVID  
CLOHESSY IN SUPPORT  
OF MOTION TO  
USE PSEUDONYM**

CITY OF ST. LOUIS            )  
  ) ss  
STATE OF MISSOURI         )

I David Clohessy, state the following under oath:

1. I am the national Executive Director for the organization Survivors Network of those Abused by Priests ("SNAP"). SNAP is an international non-profit organization that advocates for and supports survivors of sexual abuse. SNAP is the largest, oldest and most active self-help group for sex abuse victims. SNAP is a confidential, safe place for wounded men and women to be heard, supported and healed. SNAP works tirelessly to achieve two goals: to heal the wounded and to protect the vulnerable. The organization has more than 20,000 members and support groups meet in over 60 cities across the U.S. and the world. One of SNAP's role is to educate its membership and the community about the effects of sexual abuse.

2. I submit this affidavit in support of the Plaintiffs' Motion to Use Pseudonyms during the prosecution of this lawsuit. I have not met either of the Plaintiffs. I have not communicated with either of the Plaintiffs. I have not met or communicated with the Defendant Peter Hoagland, nor am I making any allegations that Mr. Hoagland has engaged in any improper behavior regarding the exposure of the identities of the Plaintiffs. I do not have any knowledge of the specific facts involved with this case. I am submitting this affidavit in order to provide information to this Court about the benefits of letting civil litigants to use pseudonyms such as John Doe or Jane Doe when reporting child sexual abuse to law enforcement and when pursuing civil sexual abuse claims for damages.

3. The issue of privacy is a complicated issue for sexual abuse survivors. On one hand, it is often important for a survivor to expose the criminal conduct of his or her perpetrator and pursue legal action in order to safeguard others and get help he or she needs. On the other hand, exposure of the sexual abuse can create public attention that can create a very difficult environment for the survivor and his or her family to recover from the abuse.

4. Civil litigation plays an important role in identifying those who commit and/or conceal child sex crimes, changing the national conversation about sexual abuse and deterring cover-ups of this horror. Even now, most sexual abuse remains the unspoken secret within families, faith communities and other organizations. Civil litigation helps move the topic of sexual abuse into the open by exposing dangerous perpetrators, creating new knowledge about prevalence of sexual abuse, identifying common schemes and techniques used by perpetrators and ways that organizations can detect and prevent sexual abuse by their employees. Accordingly, it is important to make it easier for victims of sexual abuse to be able to report sexual abuse to law enforcement authorities and to pursue civil action for damages in order to have the resources needed in order to recover from the injuries caused by sexual abuse.

5. One of the highest barriers facing victims of sexual abuse is the fear of public exposure.

6. Most survivors struggle with a number of very personal concerns relating to childhood sexual abuse. Most survivors have difficulty understanding why they were chosen as a victim by the perpetrator. Survivors describe feeling like there must have been something about them that caused the perpetrator to select them to abuse. These emotions often cause considerable doubt, shame, humiliation and even fear. In addition, these negative feelings are compounded by the sexual abuse itself, often leading to feelings of being defective and broken. These negative emotions then often lead to problems making friends and interacting with peers, which then can result in other mental health problems such as depression, anxiety and chemical dependency. A major part of recovering from childhood sexual abuse is understanding these negative emotions and the dysfunction that they cause.

This recovery process is very fragile. Even the smallest negative experience can cause a major setback. Often this recovery process begins when the survivor reports the sexual abuse and takes action to get the help that he or she needs. Survivors are the most vulnerable to set backs earlier in recovery. This often coincides with criminal prosecution proceedings against the perpetrator and filing and pursuing a sexual abuse lawsuit for damages.

Being able to pursue a sexual abuse lawsuit without having his or her identity appearing in the news, social media or on other websites reduces the chance that a survivor will be subject to embarrassment, humiliation or intimidation relating to the sexual abuse report. This then reduces the chance of an emotional setback in his or her recovery. Allowing a survivor to preserve his or her privacy by using a pseudonym like John Doe or Jane Doe

when pursuing a claim improves the likelihood that the survivor will create the early foundation for a successful recovery from the sexual abuse.

7. Often victims develop psychological problems as a result of the sexual abuse. Victims fear that if they report the sexual abuse, their mental health problems will be made public, causing humiliation and rejection to themselves and their families. Victims often worry more about the impact of such revelations on their loved ones, especially their children, than themselves.

8. The impact of sexual abuse is often misunderstood by the general public. For example, it is a common misconception that sexual abuse survivors, are themselves sexual abuse perpetrators, or will turn into sexual abuse perpetrators. This is not consistent with scientific research in this area. Nevertheless, this common misconception is a source of much fear in the survivor community. Survivors fear that they will be viewed as perpetrators and the survivor and his family will be isolated and even harassed as a result.

Another common misconception is that victims of sexual abuse may suffer from mental health problems that can be dangerous to people with whom they interact. It is true that childhood sexual abuse can cause a myriad of mental health problems. It is also true that victims of childhood sexual abuse are at a higher risk to develop mental health problems. It is NOT true, however, that these mental health problems result in a higher risk for violence. Again, this common misconception is a source of much fear in the survivor community. Survivors fear that if they are identified as a sexual abuse victim, they may be subject to maltreatment in their employment or negative treatment in future employment. Survivors fear that their children will be mistreated by peers, or others if the survivor is publicly identified as being a survivor of sexual abuse. Survivors fear that other close family members will be isolated and even harassed if they are associated with a survivor of sexual abuse. Having a way for victims of sexual abuse to report sexual abuse to law enforcement and to pursue civil litigation without having to be publicly identified is a way to remove the barriers associated with the many fears experienced by survivors.

9. Privacy is very difficult to achieve in modern times. In the area of child sexual abuse detection and prevention, the internet and social media have been incredible tools, and incredible barriers. It has never been easier for law enforcement to communicate with the public about dangerous sex offenders in our communities. Sex offender registries appearing on publicly available websites have made very important information available to parents and other caregivers so that they can protect children from dangerous people. Through social media sites like Twitter and Facebook, the community can receive real time news that they can use to better protect children. On the other hand, these technology tools can also be a barrier because information about childhood sexual abuse victims can be easily and quickly transmitted to the public, causing victims to be hesitant to make the reports in the first place. Allowing child sexual abuse victims to protect their identity from public disclosure by using pseudonyms such as John Doe or Jane Doe helps to abate the fears of widespread public disclosure.

10. It is an unfortunate fact that both sexual perpetrators and their employers have used public disclosure of victim identity as a means to intimidate other victims from reporting sexual abuse and as a means of retaliating against those who do make reports. Allowing child sexual victims to protect their identity from public disclosure prevents this type of intimidation and retaliation.

11. It is for these reasons that sexual abuse survivor advocates strongly urge Judges to allow survivors of childhood sexual abuse to be allowed to use a pseudonym such as John Doe or Jane Doe when pursuing civil childhood sexual abuse claims.

Dated: 2/18/16

David Clohessy  
David Clohessy  
Executive Director  
Survivors Network of those  
Abused by Priests

Signed and sworn before me this

18<sup>th</sup> day of February 2016

Teresa L. Kendrick  
Notary Public/Deputy Court Administrator

