

Jan 17, 2005

# Church vs. State

EXHIBIT O

## Audit fight may put diocese in court on abuse charges

By J.M. HIRSCH  
The Associated Press

**CONCORD** — Discord over evaluating the child protection policies of the state's Roman Catholic Diocese has grown so acrimonious the agreement calling for the evaluation could be voided.

That has both sides eager to persuade a judge the deal can be saved.

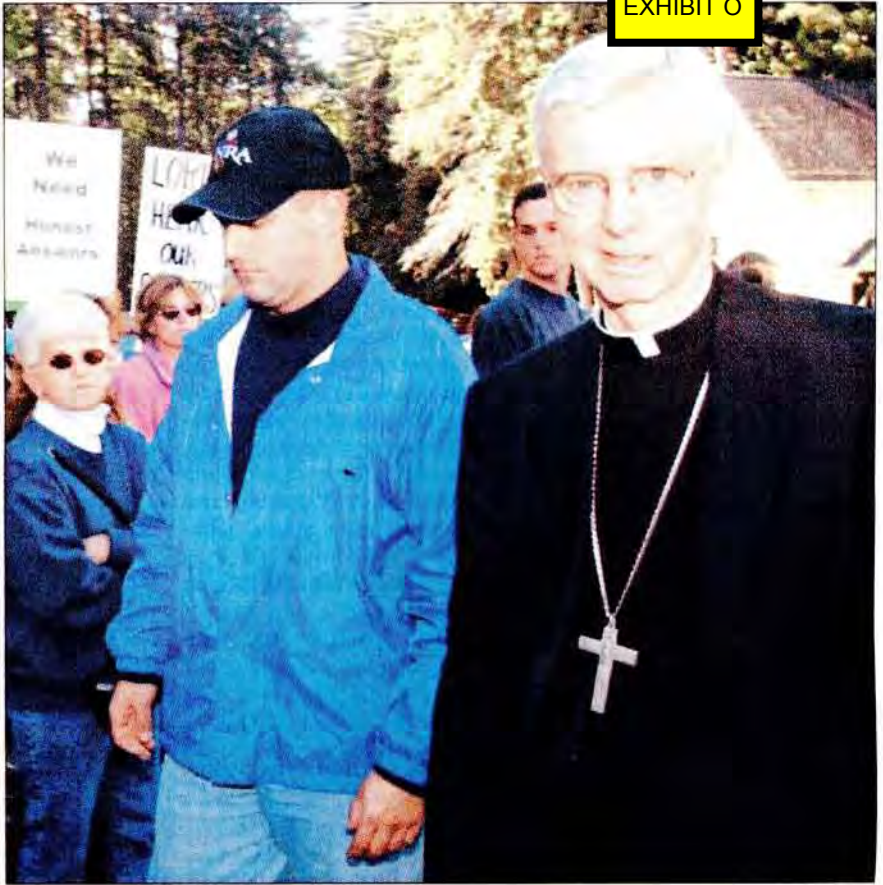
If they fail, the state could find itself litigating an onerous case with little guarantee of success, while the diocese could earn the distinction of being the first in the nation to face criminal charges stemming from the child sex abuse scandal.

Annual audits for five years are required by a 2002 agreement between the church and state that ended a criminal investigation of whether diocesan officials knew members of the clergy were abusing children but failed to protect them.

At issue now is the scope of the audit and who will pay for it. The church wants the state to cover the bill and the evaluation to be limited mostly to paperwork. The state says the church should pay and wants a wide-ranging evaluation.

The dispute began just months after the

► See **Church**, Page B2



AP FILE

Bishop John McCormack is escorted out of church after Mass in Jaffrey in 2002. Now Bishop McCormack is at the head of a court battle to see whether the church or the state will pay for an audit evaluating the child protection policies of the state's Roman Catholic Diocese.



**PAUL SHANLEY**  
the face of clergy sex abuse

## Shanley goes on trial this week

By DENISE LAVOIE  
The Associated Press

**CAMBRIDGE, Mass.** — He's 73 now, and unrecognizable as the hip "street priest" known more than 30 years ago for wearing long hair and blue jeans, and reaching out to Boston's troubled youth.

Paul Shanley is a senior citizen now, frail-looking with thinning white hair and deep lines in his face. His has become perhaps the most

recognizable face of the clergy sexual abuse crisis that has shaken the Roman Catholic Church for the past three years.

This week, Shanley goes on trial on child rape charges in one of a handful of criminal cases in which prosecutors have been able to bring against priests accused of sexually abusing children decades ago.

Most of the priests accused

in civil lawsuits have avoided criminal prosecution because the alleged crimes were committed so long ago that charges were barred by the statute of limitations. But because Shanley moved out of Massachusetts, the clock stopped, allowing prosecutors to arrest Shanley in May 2002 for sexual abuse that allegedly took place between

► See **Shanley**, Page B2

## Bishop's mandatory resignation date nears

By KATHRYN MARCHOCKI

New Hampshire Union Leader Staff

Wednesday, Feb. 10, 2010 - 10:27 pm

Bishop John B. McCormack is one of 11 bishops who head Roman Catholic dioceses and three auxiliary bishops in the United States who must submit their resignations to the Pope when they turn 75 this year.

In New England alone, where McCormack is senior prelate, he is one of three bishops who will reach the mandatory retirement age this year. Bishop Peter A. Rosazza, auxiliary bishop of Hartford, Conn., turns 75 on Saturday. Boston archdiocese auxiliary Bishop Emilio S. Allue will turn 75 on Feb. 18.

McCormack, who became the ninth bishop of the Manchester diocese in 1998, will turn 75 on Aug. 12.

While bishops must hand in their resignations to Pope Benedict XVI when they turn 75, the Pope is under no obligation to accept them, said the Rev. Thomas J. Reese, a Jesuit priest and senior fellow at Georgetown University's Woodstock Theological Center in Washington, D.C.



McCORMACK

Already there are four U.S. bishops who head dioceses who are serving past their retirement age -- including two who submitted their resignations as long as 18 months ago, according to the U.S. Conference of Catholic Bishops in Washington.

And five U.S. dioceses currently are vacant, or have no bishop.

Still, church experts say any backlog likely is a result of the administrative process the Vatican faces in finding and appointing successors and note a spurt of new appointments in the last year.

"Generally (the Pope) has been accepting bishops' resignations, and I think it is likely he will accept Bishop McCormack's, probably within a few months of his turning 75," University of New Hampshire professor and sociology department chairman Michele M. Dillon said in a recent interview.

In the last 12 months, Pope Benedict XVI appointed six bishops to head then-vacant U.S. dioceses, the bishop's conference reported. He also accepted resignations from 12 bishops and immediately appointed their successors, the USCCB said.

"There are a lot of bishops resigning. There are also a lot of people standing in line waiting for the opportunity for a promotion. The church is a hierarchy and there are certainly a lot of priests and auxiliary bishops who might ... expect to move up the ladder," added Dillon, who studies and writes about the Catholic church.

It usually takes at least six to eight months to appoint a new bishop, the USCCB said. Church experts predict McCormack's resignation would be no different unless all the work involved in choosing his successor was done prior to his resignation.

"McCormack also may have someone in mind that he would like to suggest who might be a priest from the diocese or more likely it may be a bishop, probably an auxiliary," Reese said.

McCormack was not available for comment. Diocesan spokesman Kevin J. Donovan said the bishop "is not speculating on when his retirement would be accepted."

McAnn said the Knights have heard no names mentioned regarding a successor.

"Everybody's guessing right now," McAnn said. "The only one some of us were talking about is Bishop Christian."

Auxiliary Bishop Francis J. Christian is the diocese's other active bishop.

But church experts said it generally is more likely the next bishop would come from outside the diocese.

Only two of the nine bishops appointed to head the Manchester diocese in its 125-year history have been New Hampshire natives.

#### YOUR COMMENTS

---

It will be a breath of fresh air to have this bishop retire and hopefully leave our state. Many of you don't know first hand the pain he has caused by his lack of attention to pedophile priests. I am not one to judge what is in a person's heart, but he should have stepped down years ago. I sure hope he handles the CMC deal better than he has other things.

- **Mary C, Manchester NH**

I wish McCormack well personally, but hope he awakens someday to the depth of his complicity in enabling sexual abuse, and the real suffering he caused.

That truth is what he denies, preferring to see the crisis as an abstraction, the "passion of the church" in which he of all people is the victim.

His lies to survivors, and about state audits, when the attorney general at one point said the exact opposite of what McCormack claimed; having to be figuratively dragged kicking and screaming into compliance --- well, it's been a draining, dispiriting administration.

What a sad legacy to 50 years of priesthood during which I am sure he helped many people, but the aftertaste is a bitter one indeed.

It is interesting to note Prof. Dillon's point that a new bishop will need to "help restore credibility among his people."

This seems at odds with her 2008 assessment that McCormack "has managed, within his diocese, to maintain his stature. He won back, I guess you could say, his credibility to lead the diocese."

So, is credibility needed, or has McCormack already restored it?

A new UNH Survey Center scientific poll might answer the question. I believe the last UNH poll on McCormack around 2003 showed 72% favored his resignation.

- Carolyn Disco, Merrimack, NH

@ Stephen from Newport and Paul from Manchester:

This is not about lack of charity or Bishop-bashing. The people who cry for the Bishop to be removed, punished, etc. want justice for the Bishop's part in the large church conspiracy to coverup child molestation. He was never punished. Instead, he holds a high office, lives in a mansion at the expense of his flock, and has a comfortable life forever. If he were a politician, or a banker, or your next-door neighbor, would you be so willing to forgive his crimes? Personally, I will not be satisfied if he is allowed to resign, retire, whatever at his leisure. Catholics will still be paying for his comfortable retirement. As long as Catholics pay for and condone his lifestyle, I know I'm not the only person who cannot participate in or give money to the Catholic church. I might rethink it after he dies, when justice will be out of the hands of us on Earth.

- Kathy, Manchester

Bill Howard of Exeter:

I never thought of the Pope's age as an indicator of the likelihood of Bishop Mc.'s retirement due to aging out. Good thinking, Bill, but really bad thought.

- jolene, hollis

John McCormack should have resigned in disgrace years ago when his sordid role in the cover up of Boston's pedophile priests became known. The evidence is overwhelming. What McCormack did is now a crime. He should publically apologize to his flock in New Hampshire and back in Boston for his actions. A bigger man would do that / would have done that already. He like so many of his fellow hierarchs is a small man; pusilanimous and pathetic. Good riddance. This pope will likely aname another disappointment, another right wing irrelevant fop.

- Lorenzo-NY, NY,NY

Never was a man less fit for his job. Although, he does provide all of us with a great challenge when it comes to turning the other cheek. But I don't think that someone in his position is supposed to be so bad that the rest of us need to strain with every fiber of our being to forgive him for his role in the horrors of the Boston archdiocese. Maybe after he leaves I'll think about returning to the church. But my prayers for him only will be that he sees and repents for all of the wrong he has done.

- Jeff, Chester

Catholics should DEMAND his resignation and DEMAND that the state punish him for his crimes. It is unacceptable to me for him to not get the punishment he deserves in this life.

- B, Manchester

With all the people out of work you would think the pope would act quickly to fill these bishop positions. I am a recovering catholic, but I surely would sign on to get that house at Stark Park, free food,heat wine, the only problem might be that celibacy thing.....and something else? Oh well

- Mike, Auburn

Well it's about time! The man is no better than the child molesters he protected for so many years. I hope he and all the others who abused and helped hide the abuse of children is ready for his judgement day.

- **MJ, Dover NH**

How about Msgr. Paul Bouchard? He was at the old St. Edmonds/Tranfiguration-just my two cents....

- **Jim B, Manchester**

It's about time! He should have never gotten the position in the first place after his part in the child molestation issues were brought to light. It's clear that the only person he is looking out for is himself, why else would you take a position you know you have no right to?

- **Charlotte, Manchester**

Stephen from Newport is an example of the blind followers who allowed the child molesters and perverts get away with there evil for so long. Good Catholics need to stand up and run these bums like McCormick out of the Church and into jail. Its not hatred Stevie its protecting our kids from scumbags like the that fool. Stop living a lie.

- **Jim, Manchester**

What great news. Maybe now we can get a leader that we can believe in with our eyes open.

It donned on me though. None of us in this diocese will have any say in who the next bishop will be. We need a healer and someone with undeniable integrity. Who will we get? Whomever will be decided by a pope that has never been here and probably will never come here. So we hope for the best, say our prayers, and get what we get. Will we get a man that we truly need or someone that is owed a favor by an archbishop?

My generation (30 somethings) is all but done with the Catholic church. It is hanging by a thread here for us. We won't accept anyone other than a truly spiritual man that doesn't expect all out blind faith like the current regime. If someone similar to the current hack bishop is picked the church will have lost an entire generation and will more than likely never recover.

- **JSF, Manch**

To Steven Robertson from Newport, Oh! I do pray for McComack, I pray for is conversion. But HE NEED TO GO. This man has been a DISGRACE for the people of NH. I hope in pray that we can have a HOLY BISHOP to replace him very soon and soon is not soon enough. We need someone like MG TONY or FR MARC.

- **Missy, Manchester**

To Paul P from Manchester - your comment "It does no good to bash the present Bishop for what we percieve are mistakes made in the past." shows you know NOTHING about what McCormack has done t the children of this state and Massachusetts. My brothers, school mates and my self did not PERCIEVE being abused by priests ignored by and moved around by McCormack and Law we lived it and will have to deal with it for the rest of our lives while this criminal is free.

- **A NH Catholic, Hudson**

Let the congregations of the Diocese choose the Bishop, just like it was done for the first 1900 years of the church

- **Art, Portsmouth**

Since when is holding someone accountable "dredging up the past"? He did not "make mistakes" - he connived to put children at risk in order to save the skins of pals.

Alleluia- get out of town.

But NOT Bishop Christian. Someone with true moral authority. Like Msgr Hannigan always had, God bless him.

- **Mary, Manchester**

The Pope should have "demanded" his resignation a long time ago. He's not fit to serve in any role in any religious organization.

- **Brian, Farmington**

Oh my! Forget the past?? Are you serious? How do you think the Catholic Church allowed mentally ill priests to continue to abuse children? It has been a very long time since I saw something written that indicated that we should automatically "respect the seat of the bishop." Please God, let people think clearly, not automatically.

- **jolene, hollis**

This is a time for prayer that the right new Bishop is appointed. Our present pope is not what one would call progressive. Christ continues to reveal himself to us through the Holy Spirit but, being open to the wisdom the Holy Spirit tries to bestow is not always a strength of all our spiritual leaders.

- **Greg Barrett, Manchester**

50 years too late.

- **Gene, Manchester**

Two words: Thank God!

- **Bill, Candia**

He should be in jail. I have no idea why this person is still in his position and safe guarded, and totally view the Catholic religion [Vatican] as evil for supporting him and the child molesters. Most unfortunately, the Catholic religion has suffered from him and, to me and many others, he represents the totally opposite of Jesus and Love (only older generations support this guy); Toss him into the fires of hell for eternity. Please. And, please Union Leader, stop supporting him. Thanks.

- **Jo, seacoast, nh**

Bishop McCormack's retirement will give the Catholic Church leaders an opportunity to seat a person who can move the Catholic Church forward to address the needs of the Diocese. It does no good to bash the present Bishop for what we perceive are mistakes made in the past. We must respect the Seat of the Bishop and hope the new Bishop can lead more people back to the church.

More can be accomplished if we think on a positive note than dredging up the past.

- **Paul Porter, Manchester**

I am very saddened by the lack of charity in many of the comments left here. We are called to be a prayerful people. Please, pray for our Bishop, I do, and we must. There will be no going forward if hatred is fueling the engine.

- **Stephen Robertson, Newport**

The only person I feel bad for is whoever takes his place. All the lying and sneaking around he should be in jail not celebrated.

- **Jason, Windham**

There is a great need for Bishop McCormack to retire so our state can heal from the harm he has created. This man has single handedly caused more catholics to leave the church than any other event in history. He and cardinal Law should be in prison but instead he is the bishop of NH and Law is running the gift shop in Rome.

- **Jackie, Manchester, NH**

Couldn't come soon enough. Good luck and Good riddance.

- **Tess Stikles, Manchester NH**

That's one way to get rid of bad wood. Hope he enjoys his retirement. Good riddance!

- **Mary Hartman, Manchester NH**

Send him to jail, that is where he belongs.

- **N, Manchester**

'One and all they sin against me, exchanging their glory for shame.

They feed on the sin of my people, and are greedy for their guilt.

The priests shall fare no better than the people: I will punish them for their ways, and repay them for their deeds.'

Hosea 4: 7-9

- **RM, laconia**

I can't think of single thing that would encourage people to come back to the church more.

The current bishop is a criminal and should feel lucky to be able to retire.

- **Tim, Enfield**

This is the best news in a long time.

Good riddance to this living weasel in sheep's clothing. What a dishonest, disrespectful job he has done and been left in control to perpetuate. This man has shown he has no moral compass and absolutely no shame. He has further stained the role and visage of the compassionate priest in the Catholic Church.

If you need gas money to get out of the state. let us know. Your departure can't come soon enough. And be sure to take your ventriloquist puppet Ed Arsenault with you on the way out.

I put my money on Frontiero - who was great at St Pius X - and has already served in the UN at a young age, and now doing time in Rome, coming back to bolster the NH flock.

- **RG, Manchester**

Given the direction that Herr Pope Benedict is leading the church it would be our luck to get for a new bishop one of the Holocaust denying Lefebvrist that he welcomed back with open arms, they all need a job now and they are already bishops. What's next mass back to latin with the celebrant's back to the congregation?

- **Richard L. Fortin, Manchester**

Just because Europe may be on vacation in August is no reason to delay in keeping McCormack. Plan ahead and get rid of him now. Be pro-active.

- **Robert J. Pariseau, Cocoa Beach, FL**

The Bishop is going to retire to a retreat on Fire Island off Long Island NY. He is going to be the recreation director. Hope he has fun!

- **Ted, Manchester**

It can't come soon enough. Send him packing back to where he came from and let's get a bishop with the proper values.

- **Dan, Bedford**

This can't happen soon enough. Hopefully Pope Benedict will appoint a more level-headed bishop who will listen to the people and perhaps step in and put a stop to the CMC mess ASAP, force or fire Ms. Giles and appoint Andy Martel and I might then start giving on collections again.

- **Bob, Manchester**

The Bishop visited our parish just a week ago. During his meeting with our Parish Council and Finance Committee, he stated, "Youth ministries have little or no effect on the youth of a parish." Needless to say, I was shocked. In one sentence the Bishop eliminated any progress we had made in convincing parishioners that we need a youth minister within our parish. I pray the he retires and we find a Bishop that realizes the vital role that youth play in keeping the Catholic faith alive.

- **Jeff, Littleton**

Isn't it odd how the union leader makes no mention of this Bishops role in the child abuse scandal that rocked the Christian faithful to it's core? There is no mention of how he was responsible for moving the molesters from one church to the next. This sicko should be in jail no in retirement.

- **Joshua, Manchester**

May Bishop McCormack have a long and happy retirement! I pray that the Pope have the wisdom to appoint a Bishop that the Catholics in New Hampshire have a deep and sincere respect for, something that is desperately needed for our spiritual renewal, diocese wide.

- **Mike D., Weare**

Pope Benedict XVI is 82 years old. My guess is that he will disregard the "mandatory retirement age" of the 75-year-old Bishop.

- **Bill Howard, Exeter**

The Bishop's resignation can't come soon enough, I hope that there is a rail nearby that we can run him out on. He will not be sorely missed, maybe he can retire to run and hide with his pedophile protector mentor Cardinal Law. Good riddance.

- **Richard L. Fortin, Manchester**

I won't be crying. A straight shooter who's got energy would be appreciated.

- **Loebs, Derry**

mjr - I agree with your recommendation

Bill and Miss M - way to put the Christian value of forgiveness to good use in a public forum.

- **Max, Manchester**

FINALLY there is hope. He can go and bunk in with Bishop Gendrin and they can talk over the days they turned their backs on the children. Father Tony would be a great Bishop and could turn folks around that are distressed over the current Bishop.

- **Bill, Manchester**

Good riddance.

- **miss m, bedford, nh**

Should Bishop McCormack's resignation be accepted, I would love to see Monsignor Anthony Frontiero brought back from the Vatican to take on the role of Bishop. He would make a great leader for the diocese.

- **mjr, Bedford**

**NOTE:** If you have visited this page before, newer comments may be hidden. Press F5, or hold down the Ctrl key while reloading or refreshing the page. (Another option for Firefox users is the [Clear Cache add-on](#).)

© 2010, Union Leader Corporation. All rights reserved.  
All trademarks and copyrights on this page are owned by their respective owners. © 1997-2010.

Documents, reports to offer sweeping view of how complaints were handled

CONCORD (NH)  
Foster's Daily Democrat

2003-03-03

By J.M. HIRSCH

Associated Press Writer

CONCORD, N.H. (AP) — With 9,000 pages of church documents and a report containing details of the cases against eight priests, the state attorney general's office plans to lay out how New Hampshire's Roman Catholic hierarchy mishandled sex abuse accusations for decades.

The attorney general's office was scheduled to release a nearly 200 page report Monday with the evidence it would have used in seeking criminal charges against the Diocese of Manchester. The church documents — including personnel files, correspondence and other material — will accompany the report.

In an unprecedented settlement in December, the diocese agreed its conduct had harmed children and that it probably would have been convicted of child endangerment, a misdemeanor, but for the settlement.

# Bishop Accountability

---

## Manchester NH Resources – June 2003

*Note: The documents in this file are offered solely for educational purposes. Should any reader wish to quote or reproduce these documents for sale, the original publisher should be contacted and permission requested. BishopAccountability.org makes no claim regarding the accuracy of any document we post.*

### Victory Sometimes Precedes the Trial

By David Hechler  
National Law Journal  
June 2, 2003

Attorney: Roderick MacLeish Jr.  
Firm: Greenberg Traurig  
Case: Ford v. Cardinal Bernard Law, No. 02-0626B [Middlesex Co., Mass., Super. Ct.]

Sometimes a lawyer wins even before a case goes to trial.

Roderick [Eric] MacLeish scored some of the most important victories of his career last year, even though his case hasn't even had a pretrial conference.

The 50-year-old lawyer has successfully represented clients in a variety of high-stakes litigation. He defended the city of Miami when it was sued by its former police chief for racial discrimination and he defended an entrepreneur sued by Siemens A.G. and Nortel Networks Corp. in a multibillion-dollar claim of misappropriation of trade secrets. He likes to alternate commercial litigation with cases that focus on employment law or public policy issues.

But MacLeish is best known for his representation of plaintiffs who claim that, as children, they were sexually abused by Roman Catholic priests. His first foray into this area was in 1992, when he represented 101 plaintiffs who sued the Rev. James Porter. Porter eventually pleaded guilty to rape charges and was sentenced to 18 to 20 years in prison. The church settled the lawsuits for an undisclosed sum. "At the time it was the largest amount the church had ever paid to settle a case with a single perpetrator," MacLeish said.

Following Porter, MacLeish continued to handle sexual abuse cases, but in 2001 they occupied only 10% of his time. Last year that exploded to about 85%.

It turned out to be the Year of the Documents. MacLeish and other lawyers managed to pry loose 45,000 pages from the archives of the Boston Archdiocese. It was the first time, he said, that church officials released records covering the entire diocese and made them public. But they didn't do so voluntarily, he said. They fought every inch of the way, throwing up a First Amendment defense. Even when he won, he had to file motions to secure compliance with court orders.

Many of the most damaging documents involve the Rev. Paul Shanley, who allegedly abused dozens of children in Boston and elsewhere. Shanley was arrested in San Diego last May and extradited to Boston to face child rape charges.

Though Shanley's name appears on virtually every page of MacLeish's complaint, he isn't a defendant. The defendants are the archdiocese's corporate entity and church officials who were allegedly informed of Shanley's conduct beginning in the 1960s and were negligent in failing to protect plaintiff Greg Ford, who claims he was repeatedly molested by Shanley over a half-dozen years, beginning when he was 6 years old.

**The named defendants are Cardinal Bernard Law, who resigned his position as head of the Boston Archdiocese last December, and two priests who were his aides-Thomas Daily, now bishop of the Brooklyn, N.Y., Diocese and John McCormack, bishop of the Manchester, N.H., Diocese.**

Though MacLeish is the first to say he had plenty of help in the paper chase, he is the lawyer who has

battled longest in Boston, the center of the storm, and he led the way. A trial is still a long way off, and documents continue to trickle in, but already, MacLeish said, they've had a major impact.

The documents paved the way for MacLeish's deposition of Law, which took eight days that began last June and ended in January. The documents and the depositions, in turn, were largely, if not entirely, responsible for Law's resignation. MacLeish also believes they made possible the settlement the Manchester Diocese reached in December with that state's attorney general to avoid criminal prosecution. It required McCormack, who worked with Law until 1998, to acknowledge publicly that the church had "contributed to the endangerment of children."

The documents also provided ammunition for an unprecedented lawsuit in which the church is essentially suing itself. In April, the Diocese of San Bernardino, Calif., sued the Boston Archdiocese for transferring Shanley west without mentioning the allegations that trailed him.

Though the Ford case has received the most attention, it is by no means MacLeish's only case against Shanley or the church. He represents 22 people who allege that Shanley molested them; eight are in litigation. Overall, he represents about 240 plaintiffs suing the church.

Two of his clients settled cases against Shanley for confidential sums in 1994. At the time, MacLeish said, Shanley "didn't stand out." He had no sense of the magnitude of the priest's activities. Church officials told him that Shanley wasn't in active ministry. "I believed what I was told," said MacLeish, who added that it was a mistake to take their word. "We all wanted to believe. We all hoped that this wasn't widespread."

The mistake he has never made that other lawyers have, he said, is "taking the money and running." He won't agree to a settlement in which a priest is permitted continued access to children, or a plaintiff is constrained from cooperating with the police. Nor will he threaten to go to the police or the press to extract a settlement. "It's close to extortion," he said. "I think it's unethical."

His clients were faced with a difficult choice shortly before the first cache of Shanley documents surfaced. They were asked by a superior court judge to accept a gag order, at least temporarily, in exchange for the papers. They refused. When the documents were finally released, in April 2002, MacLeish, 24-year-old Greg Ford and his parents [who are also plaintiffs] held a press conference that lasted more than two hours and drew dozens of television crews. It was, MacLeish said, a turning point. Within days, Law was summoned to Rome, and within two months he became the first sitting cardinal ever to be deposed.

It's terribly important in these cases, MacLeish said, to be sensitive to your clients' needs. "You're talking about people who have already been betrayed once. You have to be very careful not to do that again." To clients who see their lawyers as authority figures, he explained, failing to return phone calls can feel like betrayal.

Dealing with the media can also present special challenges. "Find out what your client wants, and don't put your ego ahead of the client's interest," he advised. "Fully inform your client that when you talk to the media, you lose control. There are real risks."

His first rule: "Always tell the truth. If you don't tell the truth, they will stop listening and they will expose you." But there's another, more subtle, message he also tries to convey: "There's going to come a time when the media move on and they're not calling anymore. It can be hard for the client if they feel like they're being forgotten."

There are lessons to be gleaned from his bruising battle for documents. "Don't rely on the other side to tell you what documents they have." Depose their keeper of records and become an expert yourself, he said. Ultimately, he obtained documents on 139 priests who allegedly molested children—far more than the church had originally acknowledged.

Once a lawyer obtains the goods, MacLeish said, there's a temptation to scan them into a database and forget the originals. While database software is an essential tool, he and David Thomas, an associate at his firm, pored over the originals. About half of the key pages were handwritten or included handwritten notes, some cryptic and some in code.

It was almost like learning a new language, he said, but the payoff can be enormous. Sometimes notes tell not only what priests were doing, but which officials knew—and when they knew it.

## Groups Continue Pushing for McCormack to Resign

By the Associated Press  
Manchester (NH) Union  
Leader June 4, 2003

Two New Hampshire Catholic groups aren't giving up their demands that Manchester Bishop John McCormack resign.

Two months ago, New Hampshire Voice of the Faithful joined New Hampshire Catholics for Moral Leadership in calling for McCormack and Auxiliary Bishop Francis Christian to step down because of their roles in the priest sex abuse scandal.

The two say they have no intention of resigning.

Group members say they have no intention of backing down.

"We're in it for the long haul," said Robert Morton, one of 15 members of the moral leadership group. "It's a marathon, not a sprint. We will continue to seek their resignations for as long as it takes and whatever it takes."

The group was formed two months ago for the sole purpose of urging McCormack and Christian to step down.

The group claims McCormack betrayed Catholics by failing to report and **helping to cover up cases of clergy abuse for years**, including transferring abusive priests from parish to parish, particularly when he was a top adviser to Cardinal Bernard Law, former archbishop of Boston. Law resigned because of the scandal.

McCormack has denied those allegations.

In investigative documents released by the state Attorney General's Office this year, prosecutors said Christian misled authorities and victims about abusive priests. Christian has said he never knowingly misrepresented the facts.

New Hampshire Catholics for Moral Leadership meets tomorrow in the Concord area to decide what its next step will be.

An Internet petition the group posted on its Web site two months ago demanding the resignations will be one of the main topics at the meeting, Morton said. As of this Monday, there were approximately 890 names on the petition.

"We're not going away," said Carolyn Disco, a member of both groups. "Our cause is firm and we will continue. We've got almost 900 signatures now, which is really amazing considering how reticent many Catholics are to go public by signing it."

Disco said there's no way to know for sure how seriously the groups are viewed by church higher-ups, including officials at the Vatican in Rome.

"But the important thing is that we will not abandon our efforts based on their reaction or lack of it," she said.

## Audit chides diocese

By KATHRYN MARCHOCKI New Hampshire Union Leader Staff

16 hours, 1 minute ago

**CONCORD** – An independent audit found "critical gaps" in the Diocese of Manchester's compliance with the terms of a child protection agreement it reached with the state.

**The report noted failure by top Roman Catholic leaders to demonstrate a commitment to lasting policies to prevent the sexual abuse of minors.**



While significant strides have been made to correct deficiencies identified in the first audit, **this year's report singled out the Rev. Edward J. Arsenault -- who is charged with implementing the agreement -- for the lack of candor and resistance he showed auditors, the KPMG Inc. audit released yesterday said.**

**"There were instances when the auditors felt they were not receiving full cooperation in the interview they conducted with Fr. Arsenault and sometimes felt there were word games being played," said state Attorney General Kelly A. Ayotte.**

**Ayotte said the audit's most "troubling" finding is the "tone at the top" set by senior diocesan leaders who failed to promote an "organizational culture that encourages compliance."**

"We're grateful that the AG recognizes that the problems in the Manchester Diocese start at the top," said David Clohessy, national director of the Survivors Network of those Abused by Priests. "The mere existence of policies and procedures on paper don't protect kids."

Arsenault insisted he answered "every question with great candor and honesty," saying the auditor walked out after 15 minutes when he refused to respond to hypothetical questions or take questions from more than one person.

"I don't think I'm reticent, nor do I play word games," Arsenault said.

Annual audits are mandated under the terms of an agreement the diocese reached with the state on Dec. 10, 2002 to avoid criminal prosecution for its handling of alleged child sexual abuse by priests over a 40-year period.

▶ **Rev. Edward J. Arsenault: Diocese of Manchester has changed its behavior regarding child sex abuse**  
▶ **Diocese under fire for not naming accused priests**

During the latest audit period, which began in August, prosecutors said the diocese reported to them a number of child sexual abuse allegations against priests. Most involved priests who had prior complaints against them and already were removed from ministry or some who are dead, Senior Assistant Attorney General N. William Delker said.

At least one allegation is actively being investigated and is recent enough that -- if founded -- could be prosecuted since the statute of limitations has not expired, Delker said. The complaint involves an unidentified priest who was not in active ministry at the time of the alleged abuse, he said.

"The diocese has been very prompt in making those allegations. It's our feeling that they have been doing that right," Delker continued.

Whether the full round of four audits will be done was a key point of contention between the state and diocese -one that could bring both sides back into court.

Ayotte said she is committed to two more audits, which so far have taken nine to 10 months to do.

But Arsenault said the diocese only agreed to submit to audits through the end of the year.

"I see no reason why there can't be an audit that starts now and one again in December," Arsenault said, adding the audits have not been "time efficient."

Audits were stalled when the church and state argued over their scope and cost. A 2005 court ruling upheld the state's argument that it could measure the effectiveness of the church's policies and both sides would split the cost, which this year was \$96,654.

"Because we spent two years litigating prior to the initiation of the first audit ... we should have the full time to make sure we have the ability to have a full review," Ayotte said.

**If the diocese resists, Ayotte said "Absolutely, if necessary, I will take that to court."**

**KPMG Inc., an international auditing firm, also faulted the diocese's policy because it does not require a cleric, employee or volunteer accused of abuse to automatically be removed from their post pending an investigation.**

The diocese's policy, updated this year, says an alleged abuser can only be removed from his or her post if the bishop finds there is a "semblance of truth" to the allegation, Ayotte said.

"This initial subjective evaluation of the complaint is inconsistent with the language of the 2002 agreement," Ayotte said. She called upon the diocese to immediately change its policy to ensure an alleged abuser can have no contact with minors while the investigation is pending, adding she would ask the court to enforce this provision if necessary.

Arsenault, who is the diocese's delegate for ministerial conduct, said the two documents don't conflict.

"When we receive a report, it has to have some standard of reasonableness. We have received some reports from people that are spurious. They have no factual basis," Arsenault continued, saying some people who made complaints later were found to be "disturbed."

Auditors also found the diocese still relies too heavily on "self-reporting" by parishes, schools and camps to ensure staff and volunteers have undergone required child safety training and background checks.

**Like last year, Bishop John B. McCormack was absent when church leaders responded to the audit report.**

## L.A. Archdiocese to Pay \$600M to Victims

AP Associated Press

Jul 14 02:57 PM US/Eastern

By GILLIAN FLACCUS  
Associated Press Writer

LOS ANGELES (AP) - The Roman Catholic Archdiocese of Los Angeles will settle its clergy abuse cases for at least \$600 million, by far the largest payout in the church's sexual abuse scandal, The Associated Press learned Saturday.

Attorneys for the archdiocese and alleged victims are expected to announce the deal Monday, the day the first of more than 500 clergy abuse cases was scheduled for jury selection, according to two people with knowledge of the agreement. The sources spoke on condition of anonymity because the settlement had not been made public.

The archdiocese and its insurers will pay between \$600 million and \$650 million to about 500 plaintiffs—an average of \$1.2 to \$1.3 million per person. The settlement also calls for the release of confidential priest personnel files after review by a judge assigned to oversee the litigation, the sources said.

It wasn't immediately clear how the payout would be split between the insurers, the archdiocese and several Roman Catholic religious orders. A judge must sign off on the agreement, and final details were being ironed out over the weekend.

Tod Tamberg, an archdiocese spokesman, did not immediately return a call for comment.

The settlement would be the largest ever by a Roman Catholic archdiocese since the clergy sexual abuse scandal erupted in Boston in 2002.

Among the largest total payouts was \$100 million in 2004 by the Diocese of Orange, Calif., to settle 90 claims. The Diocese of Covington, Ky., last year agreed to pay \$84 million for 552 cases. Facing a flood of abuse claims, five dioceses—Tucson, Ariz.; Spokane, Wash.; Portland, Ore.; Davenport, Iowa, and San Diego—sought bankruptcy protection.

Last month, the Archdiocese of Portland agreed to pay about \$52 million to 175 victims, while setting aside another \$20 million for anyone who comes forward in the future.

The Diocese of Spokane, Wash., also recently emerged from bankruptcy protection after agreeing to pay \$48 million to settle about 150 claims.

Copyright 2007 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

### [Mortgage Rates Fall Again](#)

\$430,000 for \$1299/Mo. Think you pay too much? Calculate...

### [Mortgage Rates at 3.0%](#)

\$150,000 loan for \$391/month - refinance, home equity and...

[Click here to buy text ads on Breitbart](#)

SHOP MUSIC SHOP BREITBART

MOST VIEWED MOST E-MAILED 

- [Bin Laden Appears in New al-Qaida Video](#)  
46 minutes ago (AP)
- [L.A. Archdiocese to Pay \\$600M to Victims](#)  
6 hours ago (AP)
- [Kucinich Lashes Out at Limiting Debates](#)  
1 day ago (AP)
- [Dizzying fall as media tycoon Lord Black found guilty of fraud](#)  
1 day ago (AFP)
- ['Killer' Wasps Menace State Department](#)  
1 day ago (AP)

#### HEADLINES

Your Site. Our Headlines. [Click here](#) to learn how to put Breitbart headlines on your site.



[Turned Down for an Auto Loan? There are Options](#)



[Why You Need a Vehicle Warranty](#)



BEN STILLER  
 THE **HEARTBREAK KID**  
 IN THEATERS **OCTOBER 5** • WATCH **TRAILER**



**OCWEEKLY**

Search   
 ADVANCED SEARCH

**backpage**   
 post ads for free

**HOME** **NEWS** **COLUMNS** **MUSIC** **FILM** **CULTURE** **FOOD** **CLASSIFIEDS**



**BISHOP BROWN STILL DOESN'T GET IT**

Posted by *Gustavo Arellano* in *Ex Cathedra, Main*

October 8, 2007 3:32 PM

[Permalink](#) | [Comments \(6\)](#)

Pick up this newspaper this Thursday, when this reporter will have a more in-depth take on the **Orange diocese's settling four more sex-abuse cases for about \$7 million**. In the meanwhile, allow your humble servant to rail about the latest foot-in-mouth case of Orange Bishop Tod D. Brown.

Today, **Associated Press** reporter **Gillian Flaccus** filed a report from **Newport Beach**, where three of the four victims came forth to face the cameras. She also interviewed Brown, who's scheduled to appear in Orange County Superior Court tomorrow to face a contempt-of-court hearing. Flaccus asked His Excellency about the fact that about 15 percent of all the Orange diocese's settled sex abuse cases dealt with Mater Dei and Santa Margarita high schools. "I'm sorry it happened in those two schools, it should not have happened there," Brown responded. "But statistically they are not worse than anybody else."



Where have we read this before...oh, yes! The *Orange County Register* **Letters to the Editor** section today! We turn the mike over to John Richardson of Mission Viejo after the jump:

*The Tuesday, Oct. 4, issue of the Register had an article on page 7 of the Local section titled: "Ex-athletic director gets jail for sex with girl, 14." He was a teacher at Mission Viejo Christian School.*

*The article, buried in the second section, is in sharp contrast to the front-page coverage given to any sexual abuse news about the Catholic Church. Even Steven Greenhut and Frank Mickadeit have taken their shots at the church and Bishop Brown in recent columns. I would be the first to say that those shots are probably well-deserved. But where is the level playing field?*

*Why do the Register and the media find it so necessary to down the Catholic Church, but relegate the sexual-abuse problems of other Christian denominations and schools to the back pages?*

It's a **tried-and-true** defense by church apologists to point the finger at other abusers in society rather than take responsibility for the Church's sins. Again (and we'll spare you the links): **it's the Catholic Church, not other churches, who claim to care for sex-abuse victims, then subject them to eight-day depositions.** It's the Church who claims holiness and spends thousands of dollars on Covenants with the Faithful, only to change it at a whim. **It's the Catholic Diocese of Orange that's the biggest bunch of hypocrites.**

OC Mom says:

October 8, 2007 17:33

As I watched today's press conference, the courage of the victims making a personal choice to seek justice and share their personal stories, is a gift to the protections of children in the years to come. God bless all of the ladies for believing in the power of speaking truths and seeking justice.

**I was horrified to learn that Diocese of Orange supervisory employees and attorneys continued to badger these young ladies long after the Diocese settled approximately 87 clergy abuse lawsuits for \$100 million in December 2004. This is a disgrace to Bishop Brown's management and personal choice to protect the Diocesan financial portfolio BEFORE respecting the rights of these ladies to seek justice and due process in a court of law, free from obstructions of justice, defamation, PR twisting and legal conflicts of interest.**

\*\* Bishop Brown and his supervisory employees are slowly destroying the communities of Catholic faith in Orange County, California. Actions speak much louder than any Covenant with the Faithful or words that Bishop Brown nails to a Church door or posts on the Diocesan website.

\*\* Bishop Brown knows that NOTHING has changed in the Diocese of Orange since the clergy sex abuse crisis erupted in 2002, since his \$100 million settlement and since he publicly released Covenant With the Faithful, because his employees still live in fear and must deal with terroristic management styles of those protecting the Diocese from public scandal and monetary damages. The protections of children are the last on Bishop Brown's list of priorities.

\* Bishop Brown has a lot of work to do before children, vulnerable adults and employees will be safe from any dangers or violations of the law. The life long employees who failed to protect children from sex crimes in the past are still GAINFULLY employed by Bishop Brown and as long as they remain faithful and protect the Diocesan dirty sex crime secrets, they will remain employed for life --no questions asked!

TO BISHOP BROWN: If you are serious about protecting children, then issue a public statement IMMEDIATELY requesting that all of the employees in the Diocese of Orange who have knowledge of past sex crimes or past violations of the law, come forward and report what they know.

Then Bishop Brown, issue your personal guarantee to all employees that none of them will lose their jobs or be punished for speaking out to protect another human being. Then Bishop Brown, FIRE YOUR ATTORNEYS! They are a disgrace!  
gloria sullivan says:

October 8, 2007 19:05

If you think Bishop Brown is not doing too well in his support of the people who have been injured you should have Bishop Brom of San Diego. He's asking all his parishioners to make a big sacrifice [& get them out of the hole] and pay again for what they have already had to pay out to the victims. He's asking the priests to also donate one months salary [because you can't ask the laity to do it, if you won't] So what do the sheep do, pay or say "forget it"? I'm sure no one will check up on the priests to see if they have paid their mo's salary. What a crock the whole RCC is. Dumb or dumber?

When will Catholics ever learn? A classic Bishop Deceiver is Robert Brom of San Diego. He himself is accused of sexual misconduct with a young seminarian in recent years. Below are eight articles that help us understand this web of Catholic Deception unfolding right before our eyes. For the complete article go to John Paul II Millstone.  
<http://jp2m.blogspot.com/2007/08/john-paul-ii-and-bishop-brom-brewing.html>

Georgina says: October 8, 2007 23:08 Mr. Arellano is wrong about Bishop Brown is not getting it. Everyone of those anointed frauds of the Catholic Church, from the pope, to the bishops and cardinals, right on down to the lowliest parish priest, all get it. They simply do not wish to acknowledge it. And the Faithful In the Pews? They just want this nightmare to be over; to go away so as not to have to think about little children being raped in church sacristies, or choir lofts, or in the very pews where they (the laity) sit every Sunday. But the nightmare will never end for the victims because, when one has lived a nightmare, it is hard to forget. And, neither, it seems, will the nightmare end soon for the church. What with more new reports of abuse by catholic clergy and church workers coming in everyday, it seems the RCC, and its followers, are in for a long haul.

Catherine Mary Henry says: October 9, 2007 03:07 **People who are outraged about the Diocese of Orange, California and its Bishop Tod Brown need to get active in the communities and, if they are Catholic, in their own local churches and organize and go somewhere with their outrage! This goes doubly for dioceses across the country!** Catherine Mary Henry  
[catherinemaryhenry@yahoo.co](mailto:catherinemaryhenry@yahoo.co)



Join the Topix community today. Sign Up | Sign In



**Vick May Owe \$20 Million to Falcons**



**Sutherland: No Contest on DUI Charge**



**Join the Talk in the Topix Forums**

Also in [topix](#) | [Forums](#) | [NEW Polls](#) | [Most Popular](#) | [Top Stories](#) | [World](#) | [US](#) | [Local](#) | [Sports](#) | [Entertainment](#) | [Tech](#) | [Offbeat](#) | [All Topics](#)

## Santa Ana, CA

[News](#) | [Forum & Polls](#) | [Wire](#) | [Classifieds](#)

# More Scrutiny of Orange County Diocese

By **GILLIAN FLACCUS**  
[The Associated Press](#)  
 October 08, 2007

Bishop Tod D. Brown was lauded three years ago for quickly handling Orange County's share of the nationwide church abuse scandal, reaching settlements totaling \$100 million for some 90 victims.

But a source of nearly a fifth of those cases \_ two prestigious parochial high schools \_ continues to haunt the diocese and has now exposed Brown to old allegations of child abuse and the possibility of being held in contempt of court this week.

The Roman Catholic Diocese of Orange settled four more lawsuits Friday for just shy of \$7 million. Three were filed by former students at Mater Dei and Santa Margarita high schools who said lay teachers sexually abused them.

In a deposition in one of the lawsuits, Brown acknowledged being accused of abusing a young boy more than 40 years ago when he was a priest in Bakersfield. He said the accusation, reported in 1997, is false, but police said they can find no indication it was ever investigated.

Despite the settlement, Brown still faces a hearing Tuesday to determine whether he should be held in contempt of court for sending Msgr. John Urell to Canada for psychological treatment before he could complete a deposition.

Urell, who was responsible for handling sexual abuse allegations against the diocese, became distraught during a deposition in the case of a 27-year-old woman who said an assistant basketball coach had sex with her multiple times when she was a 16-year-old student at Mater Dei.

Brown told The Associated Press that he did not violate a court order and considers the hearing an assault on his good character.

'My only concern was for Msgr. Urell, who needed immediate attention,' Brown said.

Plaintiffs' lawyers say the case involving the coach, Jeff Andrade, shows why the two schools have been a perennial problem: Warning signs were ignored and the abuse was allowed to continue.

Another teacher allegedly intercepted a note that discussed the sexual relationship between Andrade and his accuser, Christina Ruiz, but officials did nothing after interviewing Ruiz, her best friend and Andrade, she said. Andrade later admitted to the relationship in his deposition.

'They made me believe that no one would believe me, they made me believe that it was my fault. They told me that I was the one who seduced him,' Ruiz said.

Another plaintiff, now a 31-year-old woman, said Monday that when she told her guidance counselor about a sexual relationship she was having with her teacher, he told her she was a 'big girl' and didn't take action.

Mater Dei, widely known for its athletics program that counts Arizona Cardinals quarterback Matt Leinart among its alumni, is responsible for about 15 percent of the cases the diocese has settled since 2001. Another half-dozen cases stem from Santa Margarita, which opened in 1987.

The accused at Mater Dei include a principal, a vice principal, a guidance counselor, a track coach and two choir directors.

'Any girl that came forward at Mater Dei and said that she was engaged in a sexual relationship with a teacher was regarded as a whore, a harlot, a seductress,' said John Manly, the plaintiffs' attorney. 'It's the 'she-wanted-it' defense.'

Sarah Gray, a recent plaintiff who says she was abused about a decade ago, said some of her friends shunned her after she made her claims. She still gets angry calls and e-mails from some former classmates, said Gray, who graduated as valedictorian and went on to Notre Dame.

'This Mater Dei family and the motto 'Honor, Glory, Love' \_ nobody bought it like I did,' said Gray, now 26. 'I gave this whole speech about it and it turned out not to be true at all.'

Brown insists the schools' records are no different from any other school, Catholic or secular. He said both schools are now monitored for sexual abuse by an independent organization and both received high marks at recent annual reviews.

'I'm sorry it happened in those two schools, it should not have happened there,' he said. 'But statistically they are not worse than anybody else.'

Manly, however, says top management at the schools allowed a permissive atmosphere to flourish.

He points to former principal Msgr. Michael A. Harris, who has been accused of molesting 10 students from both schools from 1976 to 1994. The church has paid at least \$30 million to settle claims against Harris, 60, who has never been criminally charged and has denied the allegations in the past. He is no longer with the church.

Copyright 2007 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or

### Search

This Topic  Search All  Find A Topic

Search within Santa Ana, CA

Search

### Santa Ana, CA Forum

Topic	Comments
<a href="#">No title</a>	2
<a href="#">Pastor: Chase Suspect Killed Because He...</a>	3
<a href="#">Judge Michael Naughton Santa Ana Court</a>	46
<a href="#">Vagos motorcycle club targeted in South...</a>	1338
<a href="#">OC Bishop Could Face Contempt of Court -</a>	4
<a href="#">The American Dream turns into a debtor...</a>	99
<a href="#">Santa Ana police refuse to explain offi...</a>	2
<a href="#">Bloggers hit nerve in Santa Ana</a>	1
<a href="#">Should Illegals go Back to Mexico? Yes ...</a>	109
<a href="#">Fontana Woman, 21, Killed In 91 Freeway...</a>	2

[See all comments](#) in the Santa Ana Forum

[Start a discussion](#) about Santa Ana

[See what's happening](#) on all Topix forums

### More Santa Ana News

- [1. Chepa's Park Update - Thank you Michele Martinez and City Staff](#)
- [2. "Space Commander" Carlos talks about the Santa Ana Business Bank](#)
- [3. Does the Santa Ana Business Bank really want to "service the ...](#)
- [4. Slain man's family, community groups question police force](#)
- [5. Santa Ana plan aims for downtown rebirth](#)
- [6. Santa Ana's Not So Dynamic Duo](#)
- [7. Was the police shooting in Santa Ana justified?](#)
- [8. If no one else wants to take on Bustamante, then I will](#)
- [9. Why did City Manager Dave Ream go back on his word?](#)
- [10. Code of Conduct for Santa Ana City Council members?](#)

Visit the [Santa Ana, CA](#) page

SEARCH  Choose Category  GO!

[More California news](#)

## OC bishop waives arraignment in contempt of court matter

SAVE THIS EMAIL THIS PRINT THIS MOST POPULAR

- News
- Metro | Latest News
- North County
- Temecula/Riverside
- Tijuana/Border
- California
- Nation
- Mexico
- World
- Obituaries
- Today's Paper
- AP Headlines
- Business
- Technology
- Biotech
- Markets
- In Depth
- In Iraq
- Pension Crisis
- Special Reports
- Video
- Multimedia
- Photo Galleries
- Topics
- Education
- Features
- Health | Fitness
- Military
- Politics
- Science
- Solutions
- Opinion
- Columnists
- Steve Breen
- Forums
- Weblogs
- Communities
- U-T South County
- U-T East County
- Solutions
- Calendar
- Just Fix It
- Services
- Weather
- Traffic
- Surf Report
- Archives

### Reader Survey

Please help SignOnSanDiego.com serve you better by providing the following anonymous information. This will take only a moment.

Age:  Gender:  Male  Female

Country:  Zip Code:

E-mail address:  (\*OPTIONAL)

[Privacy Policy](#) / [Questions?](#)

**By Gillian Flaccus**  
ASSOCIATED PRESS

**5:33 p.m. October 9, 2007**

**SANTA ANA – A judge began criminal contempt-of-court proceedings Tuesday against the Roman Catholic bishop of Orange County in a highly unusual hearing that marks the first time a U.S. bishop could face jail time in the church sex abuse scandal.**

**Bishop Tod D. Brown waived his arraignment for allegedly violating a court order when he sent a high-ranking church official out of the country before he could complete his testimony in a lawsuit. He could face a range of punishments from a verbal reprimand to jail time if found in contempt.**

**Brown, who appeared in court with his attorney, waived his arraignment before Orange County Superior Court Judge Gail Andler. His attorney, Peter Callahan, said outside court that the waiver amounted to a not guilty plea.**

**The case stems from a sexual abuse lawsuit that was settled by the Diocese of Orange last week.**

**Plaintiffs' attorneys allege that during preparation for trial in that case, Brown sent Msgr. John Urell out of the country for medical treatment before he could complete a deposition in the case. Urell was responsible for handling sexual abuse allegations against the diocese.**

**Brown testified in a pretrial deposition that he made the decision to send Urell out of the country although he knew Urell "had given a deposition and was going to be called back for further deposition."**

**He said Tuesday that he chose to send Urell to Canada because it is one of few facilities that specializes in psychological care for clergy and because it could take him immediately.**

#### Quicklinks

- Restaurants ▶ Bars ▶
- Hotels ▶ Autos ▶
- Shopping ▶ Health ▶
- Eldercare ▶ Singles ▶

#### Business Listings

GO ▶

#### Free Newsletters

**SignOn News Alerts**  
*News as it happens*  
[Sign Up Now!](#)

[Cell Phone Alerts](#) ▶  
[Privacy Policy](#) ▶

#### Guides

- Vegas ▶ Spas/Salon ▶
- Travel ▶ Weddings ▶
- Wine ▶ Old Town ▶
- Baja ▶ Catering ▶
- Casino ▶ Home Imp. ▶
- Golf ▶ SD North ▶
- Gaslamp ▶

- Archives
- E-mail Newsletters
- Wireless | RSS
- Noticias en Enlace
- Internet Access



**Andler allowed attorneys from both sides to deliver their opening statements in the contempt case before postponing the rest of the hearing until Dec. 3. She also ordered a subpoena on Urell to remain in effect until that date.**

**Callahan has also filed a motion to dismiss the contempt matter which will be heard the same day.**

**Venus Soltan, a plaintiff's attorney, said that Brown sent Urell away because he had critical evidence about the diocese's handling of sexual abuse that the bishop wanted to suppress. Urell was sent away a week after he broke down during his deposition by plaintiffs' attorneys.**

**"When Msgr. Urell was there for half a day, he couldn't take it because he was too upset about having to testify about hiding all these allegations," she said in court. "This is plain and simply hiding the facts."**

**Callahan, however, said there was no evidence that a court order was in effect when Brown sent Urell away and asserted that a plaintiff attorney had verged on perjury in the court filings to the judge that precipitated the hearing.**

**He said that Urell specialized in clergy sexual abuse allegations and knew nothing about the current case, which involved allegations that a lay assistant basketball coach molested a 16-year-old girl at Mater Dei High School.**

**"I was disappointed that the judge didn't rule. We were hoping that the bishop would have the opportunity to exonerate himself by telling the truth but he didn't get the opportunity," he said.**

**Four alleged victims of sexual abuse settled for nearly \$7 million on Friday. The alleged abuse by lay teachers and staff occurred at Mater Dei and Santa Margarita high schools and at two local parish churches.**

**John Manly, an attorney for the plaintiffs, said outside court that he was pleased the judge had allowed the contempt hearing to go forward. Manly said he intended to call Urell in to complete his testimony on Dec. 3.**

**"This is one more example of the diocese stepping in their own mess," he said. "Now we can have our cake and eat it too."**

**At a press conference outside court, two of the young women who were plaintiffs in the cases stood alongside reporters and angrily asked Brown and his attorneys questions about how their alleged abuse was handled by church officials.**

**Brown did not respond to the questions directly, but instead apologized to the women.**

**"To both of you, and to the other victims, all I can do is repeat once again, my sincerest and deepest and most compassionate apology on the part of the church for what happened to you, which was terrible and sinful and criminal and reprehensible," Brown said. "I'm just so very sorry it happened."**

**Roman Catholic dioceses in several states were investigated by grand juries and faced the prospect of criminal charges over their failures to protect children. However, the statutes of limitation had run out for most. In other cases, bishops struck deals with prosecutors to avoid a criminal penalty. In 2003, the Archdiocese of Cincinnati pleaded no contest to charges of failing to tell authorities about abuse claims against priests and set up a fund to compensate victims.**

**In Massachusetts, a grand jury indicted retired Springfield Bishop Thomas**

Have you ever been a victim of a crime aboard a cruise ship? If you are willing to discuss your experience, please contact Union-Tribune staff writer Keith Darce at (619) 293-1020 or [keith.darce@uniontrib.com](mailto:keith.darce@uniontrib.com).

**Sponsored Links**

[\*\*Buy your Vegas high rise\*\*](#)

Affordable luxury condo, best locale, onsite leasing, complete Jan 08 [www.streamlinetowe...](http://www.streamlinetowe...)

[\*\*Lose 25 Pounds This Month\*\*](#)

Oprah and CBS featured Hoodia, a dieting miracle. Try a Free Sample <http://www.mylipopl...>

[\*\*Mortgage Rates at 4.65%\*\*](#)

\$170,000 loan for \$656/month. See New Payment - No SSN Rqd. Save Now! Refinance. LeadSteps....

[Buy a link here](#)



# New sex abuse settlement renews scrutiny of Cal prep schools

By GILLIAN FLACCUS -Associated Press Writer

Last Updated 5:10 pm PDT Monday, October 8, 2007

SANTA ANA, Calif. --Bishop Tod D. Brown was lauded three years ago for quickly handling Orange County's share of the nationwide sex abuse scandal in the Roman Catholic Church, reaching settlements totaling \$100 million for some 90 victims.

**But a source of nearly a fifth of those cases -two prestigious parochial high schools - continues to haunt the diocese and has now exposed Brown to old allegations of child abuse and the possibility of being held in contempt of court this week.**

The Roman Catholic Diocese of Orange settled four more lawsuits Friday for just shy of \$7 million. Three were filed by former students at Mater Dei and Santa Margarita high schools who said lay teachers sexually abused them.

In a deposition in one of the lawsuits, Brown acknowledged being accused of abusing a young boy more than 40 years ago when he was a priest in Bakersfield. He said the accusation, reported in 1997, is false, but police said they can find no indication it was ever investigated.

Despite the settlement, Brown still faces a hearing Tuesday to determine whether he should be held in contempt of court for sending Msgr. John Urell to Canada for psychological treatment before he could complete a deposition.

Urell, who was responsible for handling sexual abuse allegations against the diocese, became distraught during a deposition in the case of a 27-year-old woman who said an assistant basketball coach had sex with her multiple times when she was a 16-year-old student at Mater Dei.

Plaintiff's attorneys said Monday there was a chance the judge could postpone the hearing at least a month under the terms of the agreement.

Brown told The Associated Press that he did not violate a court order and considers the hearing an assault on his good character.

"My only concern was for Msgr. Urell, who needed immediate attention," Brown said.

Plaintiffs' lawyers say the case involving the coach, Jeff Andrade, shows why the two schools have been a perennial problem: Warning signs were ignored and the abuse was allowed to continue.

Another teacher allegedly intercepted a note that discussed the sexual relationship between Andrade and his accuser, Christina Ruiz, but officials did nothing after interviewing Ruiz, her

best friend and Andrade, she said. Andrade later admitted to the relationship in his deposition.

**"They made me believe that no one would believe me, they made me believe that it was my fault. They told me that I was the one who seduced him," Ruiz said.**

Another plaintiff, now a 31-year-old woman, said Monday that when she told her guidance counselor about a sexual relationship she was having with her teacher, he told her she was a "big girl" and didn't take action.

Mater Dei, widely known for its athletics program that counts Arizona Cardinals quarterback Matt Leinart among its alumni, is responsible for about 15 percent of the cases the diocese has settled since 2001. Another half-dozen cases stem from Santa Margarita, which opened in 1987.

The accused at Mater Dei include a principal, a vice principal, a guidance counselor, a track coach and two choir directors.

**"Any girl that came forward at Mater Dei and said that she was engaged in a sexual relationship with a teacher was regarded as a whore, a harlot, a seductress," said John Manly, the plaintiffs' attorney. "It's the 'she-wanted-it' defense."**

**Sarah Gray, a recent plaintiff who says she was abused about a decade ago, said some of her friends shunned her after she made her claims. She still gets angry calls and e-mails from some former classmates, said Gray, who graduated as valedictorian and went on to Notre Dame.**

"This Mater Dei family and the motto 'Honor, Glory, Love' -nobody bought it like I did," said Gray, now 26. "I gave this whole speech about it and it turned out not to be true at all."

Brown insists the schools' records are no different from any other school, Catholic or secular. He said both schools are now monitored for sexual abuse by an independent organization and both received high marks at recent annual reviews.

"I'm sorry it happened in those two schools, it should not have happened there," he said. "But statistically they are not worse than anybody else."

Manly, however, says top management at the schools allowed a permissive atmosphere to flourish.

He points to former principal Msgr. Michael A. Harris, who has been accused of molesting 10 students from both schools from 1976 to 1994. The church has paid at least \$30 million to settle claims against Harris, 60, who has never been criminally charged and has denied the allegations in the past. He is no longer with the church.

# Roman Catholic sex abuse cases by country

This page documents notable **Roman Catholic sex abuse cases by country**.

## Contents

- 1 Australia
- 2 Austria
- 3 Brazil
- 4 Britain
- 5 Canada
- 6 Czech Republic
- 7 France
- 8 Ireland
  - 8.1 Roman Catholic Diocese of Ferns
- 9 Italy
- 10 Mexico
- 11 New Zealand
- 12 Philippines
- 13 Poland
- 14 United States
  - 1. 14.1 Archdiocese of Boston
  - 2. 14.2 Diocese of Dallas
  - 3. 14.3 Diocese of Davenport
  - 4. 14.4 Diocese of Honolulu
  - 5. 14.5 Archdiocese of Los Angeles
  - 6. 14.6 Archdiocese of Louisville
  - 7. 14.7 Archdiocese of Miami
  - 8. 14.8 Diocese of Orange
  - 9. 14.9 Diocese of Phoenix
  - 10. 14.10 Archdiocese of Portland
  - 11. 14.11 Diocese of San Diego
  - 12. 14.12 Diocese of Spokane
  - 2. 14.13 Diocese of Tucson
- 15 See also
- 16 References

## Australia

In 1992, the nonprofit organization Broken Rites was formed to help the victims of church-related sexual abuse in Australia. Though Broken Rights is non-denominational, approximately 90% of the victims that have contacted the organization have been from a Catholic Background.<sup>[1]</sup>

In June 2002, The head of the Roman Catholic Church in Australia, Sydney Archbishop George Pell temporarily "stood" aside from his post during an investigation into 40 year old allegations of child sexual abuse.<sup>[2]</sup> The allegations against Pell could not be proven or disproven due to the amount of time that had passed since the incident.<sup>[3]</sup> **Pell accompanied Father Gerald Ridsdale to his 1993 trial and has been accused of covering the tracks of pedophiles in the Australian Priesthood.**<sup>[4]</sup> Pell has publicly stated that he believes, "Abortion is a worse moral scandal than priests sexually abusing young people."<sup>[5]</sup>

■ In May of 2006 Federal Court judge Justice Rodney Madgwick ruled against extraditing Father Raymond John Garchow and Brother Roger Moloney of the St John of God order to New Zealand to face charges of sexually abusing boys at the Marylands Special School, a boarding school for disabled and disadvantaged children, between 1971 and 1980.<sup>[6]</sup>

## Austria

In 1995 Cardinal Hans Hermann Groër stepped down as head of the Roman Catholic Church in Austria following accusations of sexual misconduct. In 1998 he left the country. He remained a Cardinal.<sup>[7]</sup>

**In 2001 a court sentenced Bishop Pierre Pican of Bayeux-Lisieux in Normandy to a three-month suspended sentence for failing to report the pedophilia of Fr. Rene Bissey.** In 2000 Bissey was sentenced to 18 years in prison for sexually abusing 11 minors from 1986 to 1998.<sup>[17]</sup>

## Ireland

Fr. Paul McGennis, Dublin, Ireland. He abused Marie Collins when as a 13-year-old she was in *Our Lady's Hospital for Sick Children* in 1961. **Collins was later told that McGennis had admitted abusing children. However the Cardinal Archbishop of Dublin, Desmond Connell, refused "on legal advice" to supply his file on McGennis to the Irish police.**

McGennis was nevertheless convicted and jailed. Marie Collins subsequently received an apology from Cardinal Connell.

Several priests who abused children in the United States were Irish Nationals, notably Patrick Colleary, Anthony O'Connell and Oliver O'Grady.

## Roman Catholic Diocese of Ferns

The Ferns Inquiry 2005 - On 22 October 2005 a government-commissioned report compiled by a former Irish Supreme Court judge delivered an indictment of the handling of clerical sex abuse in the Irish diocese of Ferns. The report revealed over 100 cases of child sex abuse in the diocese, involving a number of clergymen, including Monsignor Micheál Ledwith, the former head of the National Catholic seminary, Maynooth College.

Among the facts revealed were

**The failure of Bishop Donal Herlihy to exclude clearly unsuitable candidates from the priesthood; His failure to report incidents of proven sexual abuse to the legal authorities and his failure to acknowledge that abusers needed to be kept from children; The failure of his successor, Brendan Comiskey, to report incidents of abuse and remove abusers from positions where they worked with children.**

Among the cases revealed were

- a. The rape of teenage girls on the altar of a church by one priest;
- b. **The use of blackmail by another priest to force children to perform sex acts on him;**

**The report was also highly critical of the failure of the Garda Síochána (police) to properly investigate reported incidents. It noted with concern the disappearance of one police file detailing serious incidents of clerical sex abuse. It stated that the local health authorities failed to protect children even when aware of allegations.**

Some survivors of abuse praised the actions of the new Apostolic Administrator (acting bishop) for instituting wholesale reforms, including the toughest anti-abuse rules in any diocese in the Catholic Church, and also his willingness to hand over all files and all information to the inquiry. Victims' spokesman and himself one of the victims of one of the abusers, Colm O'Gorman praised the administrator and compared his actions with the inaction and incompetence of his predecessors.

Between 1960 and 1980 the Diocese of Ferns treated child sexual abuse by priests exclusively as a moral problem. Priests against whom allegations had been made were transferred to a different post or a different diocese for a period of time but then returned them to their former position. The Irish government held an official inquiry into the allegations of clerical sexual abuse in the Irish Catholic Diocese which led to the Ferns Report. It identified more than 100 allegations of child sexual abuse made between 1962 and 2002 against twenty-one priests operating under the aegis of the Diocese of Ferns.

Multiple allegations of abuse were made against the following priests (those still alive have not been identified in the The Ferns Report):

- a. Fr Donal Collins, transferred from St Peter's College in Wexford to London in 1966 but returned to the College in 1968
- b. Fr James Doyle, ordination postponed in 1973 but Doyle was ordained one year later.

These three are deceased:

Fr James Grennan, sexually molested girls in Monageer church, County Wexford while he heard their confessions

Canon Martin Clancy, molested his female victim in her own home  
Fr Seán Fortune, ministered in the village of Poulfour in Co. Wexford, in Belfast and in Dundalk. Allegations of abuse were made against him in all three places.<sup>[18]</sup>

## Italy

It is difficult to ascertain the correct statistics for clerical sexual abuse in Italy because the Italian Government has a treaty with the Vatican that guarantees areas of immunity to Vatican officials, including bishops and priests.<sup>[19]</sup>

**Before 2001, all cases were handled privately within Dioceses. In 2001 then-Cardinal Joseph Ratzinger sent a letter to all bishops ordering all sex-abuse cases be transferred to the Vatican. He imposed total secrecy on the proceedings, with the threat of excommunication for any violations.**<sup>[19]</sup>

In May of 2007 the Panorama Documentary Episode Sex Crimes and the Vatican was only allowed to run on the state run television station with equal time for church officials.<sup>[19]</sup>

## Mexico

Fr. Marcial Maciel founded the Legion of Christ, a Catholic order of priests originating in Mexico. Nine former seminarians of his order accused Maciel of molestation.<sup>[20]</sup> One retracted his accusation, saying that it was a plot intended to discredit the Legion. Maciel has maintained his innocence of the accusations. In early December 2004, a few months before Pope John Paul II's death, Cardinal Joseph Ratzinger (who would replace him as Pope, becoming Benedict XVI) reopened a Vatican investigation into longstanding allegations against Maciel.<sup>[21]</sup> Father Maciel then declined to be elected again as general director of the Legion on 20 January 2005 at the order's annual meeting; a spokesman denied that this decision was related to the investigation. On 19 May 2006, Pope Benedict XVI ordered 86-year-old Father Marcial Maciel to give up his ministry and retire to a life of "prayer and repentance." A Vatican statement said that he had only escaped a full trial in an ecclesiastical court because of his "advanced age [and] frail health."<sup>[22]</sup> The statement noted that the sanctions had been personally endorsed by the Pope. Commentators said that this was a clear departure from the timorous policy of Benedict's predecessor, John Paul II, and appeared to be a first step toward fulfilling the new pontiff's vow to sweep "filth" from the church.

- On September 11, 2007, Survivor's Network of Those Abused by Priests (SNAP), per released documents, accused Mexico's cardinal of knowledge of a Mexican priest's sexual offenses upon children and in bad faith, transferred him to the United States for cover-up. Aguilar Mendez stated that he was raped by priest Nicolas Aguilar in Mexico City in 1994 (at age 12). SNAP wrote Mexico City Cardinal Norberto Rivera and Los Angeles Cardinal Roger Mahony. A damage suit accused Rivera and Mahony with negligence, intentional infliction of emotional distress, civil conspiracy and sexual battery.<sup>[23]</sup>



Marcial Maciel  
Degollado

## New Zealand

Bernard McGrath was found guilty and sentenced to five years imprisonment in 2006 on charges of sexually abusing boys at a

Christchurch school in the 1970s.<sup>[24]</sup>

Cases in Christchurch are still pending against Br Rodger Moloney and Fr Raymond Garchow.<sup>[25]</sup>

## Philippines

In 2002 the Catholic Church apologized for sexual abuse by hundreds of priests over the previous 20 years.<sup>[26]</sup>

In 2003 at least 34 priests were suspended in a sex abuse scandal. 20 were from a single diocese.<sup>[27]</sup>

## Poland

In March of 2002 Archbishop Juliusz Paetz quit following accusations, which he denied, of sexually molesting young priests.<sup>[28]</sup>

In early 2007 allegations surfaced that former Archbishop Stanislaw Wielgus was aware that several priests in his diocese were sexually abusing minors.<sup>[29]</sup>

## United States

### Archdiocese of Boston

#### **Allegations of sexual misconduct by priests of the Archdiocese of Boston, and following revelations of a COVER-UP engineered in large part by the Archbishop of Boston, Cardinal Bernard Francis Law, became widespread in 2004 causing Roman Catholics in other dioceses of the United States to investigate similar situations.**

Cardinal Law's actions prompted public scrutiny of the United States Conference of Catholic Bishops and the steps taken in response to past and current allegations of sexual misconduct by priests. The events in the Archdiocese of Boston exploded into a national scandal.

Grassroots public advocacy groups like Voice of the Faithful hounded Cardinal Law after documents revealed his alleged role in covering up incidents of sexual misconduct of priests. For example, during Cardinal Law's tenure Fathers Paul Shanley and John Geoghan were moved from parish to parish within the diocese despite repeated allegations of molestation of children under the priests' care. Later, it was discovered that Shanley advocated the North American Man-Boy Love Association. The defense he provided was "failure to keep proper records." The cardinal said his practice was to seek the analysis of psychiatrists, clinicians, and therapists in residential treatment centers before deciding whether a priest accused of sexually abusing a child should be returned to the pulpit.

- a. ■ In response to the scandal, over fifty priests signed a letter declaring no confidence in Cardinal Law and asking him to resign, something that had never before happened in the history of the Church in America. Law submitted his resignation to the Vatican and Pope John Paul II accepted it on December 13, 2002. In a statement Cardinal Law said, "To all those who have suffered from my shortcomings and mistakes I both apologize and from them beg forgiveness." He remained cardinal, which is a separate appointment, and participated in the 2005 papal conclave. After his resignation, John Paul appointed Law to several authoritative positions in Rome and the Vatican. He is currently the archpriest of the Basilica di Santa Maria Maggiore. He is also a member of the Congregations of Oriental Churches, Clergy, Divine Worship and Discipline of the Sacraments, Evangelisation of Peoples, Institutes of Consecrated Life and Societies of Apostolic Life, Catholic Education, Bishops as well as the Pontifical Council for the Family.
- b. ■ Settlements in the Boston, Massachusetts suits could reach up to \$100 million. In some cases insurance companies have balked at meeting the cost of large settlements, claiming the actions were deliberate and not covered by insurance. This was additional financial damage to the Archdiocese already faced with the need to consolidate and close parishes due to changing attendance and giving patterns. In June of 2004, much of the land around the archdiocese of Boston headquarters was sold to Boston College, in part to raise money for legal costs associated with scandal in Boston.<sup>[30] [31]</sup>

## Diocese of Dallas

In 1997 a jury awarded \$120 million to victims in a sex abuse case against the Diocese of Dallas. The trial included the testimony of Bishop Charles Grahmann where he admitted to never having taken the time to read the personnel file on Fr. Kos. This included the four-year history of allegations before he came to Dallas and the allegations that continued after he was bishop.

Reverend Rudolph Kos. On July 10, 1998 the Roman Catholic Diocese of Dallas agreed to pay \$23.4 million to nine former altar boys who claimed they were sexually abused by Kos.

## Diocese of Davenport

■ On October 10, 2006, the Diocese of Davenport filed for Chapter 11 protection<sup>[32]</sup>. The decision to file for bankruptcy was being driven by many claims which focus on Bishop

Lawrence Soens, who has been accused of fondling as many as 15 students during his tenure as priest and principal at Regina Catholic High School in Iowa City during the 1960s.

Soens denies the allegations. A judge discharged one suit in October 2006.<sup>[33]</sup>

## Diocese of Honolulu

Reverend Arthur O'Brien of the Diocese of Honolulu, formerly of the Archdiocese of Washington, DC, was convicted in 1992 of one count of sexual assault on a 10-year-old boy. Father O'Brien entered into a plea bargain with the prosecutor. The subsequent suggestion of the prosecutor that Father O'Brien's conviction be erased--which was a condition of the plea bargain--was rejected by the judge. He was permanently retired from clerical ministry by Bishop Francis X. DiLorenzo in 1994.

Reverend Mark Matson, C.R., former chaplain at Tripler Army Medical Center and a member of the Congregation of Clerks Regular of the Divine Providence, was convicted in Honolulu on March 8, 2000, of molesting a 13-year-old boy at Maunaloa Bay Beach Park on August 5, 1998. At the time of his arrest, Father Matson was not affiliated with the Diocese of Honolulu and was living in the Hawai'i Kai neighborhood of Portlock. He is serving a 20-year prison term at the Halawa Correctional Facility on O'ahu.

Reverend Joseph Bukoski, III, SS.CC., Honolulu, Hawaii. Fr. Bukoski is a member of the Congregation of the Sacred Hearts of Jesus and Mary. In 2003, he was canonically removed as the pastor of Maria Lanakila Catholic Church in Lahaina by Bishop Francis X. DiLorenzo for allegations relating to sexual improprieties some 30 years earlier. Fr. Bukoski issued a written public apology to his victim on November 12, 2005.

Reverend Mr. James "Ron" Gonsalves, Wailuku, Hawaii. Deacon Gonsalves was the administrator of Saint Ann Roman Catholic Church in Waihee, Maui. On May 17, 2006, he plead guilty to various counts of sexual assault on a 12-year-old male. Bishop Clarence Richard Silva has permanently withdrawn his faculties and has initiated laicization proceedings against Deacon Gonsalves with the Congregation for the Doctrine of the Faith.

## Archdiocese of Los Angeles

The Archdiocese of Los Angeles agreed to payout 60 million dollars to settle 45 lawsuits it still faces over 450 other pending cases. According to the Associated Press a total of 22 priests were involved in the settlement with cases going as far back as the 1930s.<sup>[34]</sup> 20 million dollars of this was paid by the insurers of the archdiocese. The main administrative office of the archdiocese is due to be sold to cover the cost of these and future law suits. The archdiocese will settle about 500 cases for about \$600 million.<sup>[35]</sup>

The 2006 documentary *Deliver Us From Evil* is based on accusations that the Archbishop of Los Angeles, Cardinal Roger Mahony, knew that Oliver O'Grady, a priest who sexually abused children, including a 9-month-old baby, in a string of Central California towns for 20 years, was a sexual abuser but failed to keep him away from children. In 1984, a Stockton police investigation into sexual abuse allegations against O'Grady was reportedly closed after diocesan officials promised to remove the priest from any contact with children. Instead, he was reassigned to a parish about 50 miles east, in San Andreas, where he continued to molest children. Not long after, Mahony was promoted to archbishop of Los Angeles, the largest Catholic diocese in the country. In *Deliver Us From Evil*, O'Grady says Mahony was "very supportive and very compassionate and that another situation had been smoothly handled". Mahony denies knowing that O'Grady was a child molester.<sup>[36]</sup> Mahony appealed an attempt to gain access to church documents relating to sexual abuse all the way to the Supreme Court<sup>[37]</sup>. In Encino the late Father Clinton Hagenbach, who established the first teen club at St. Cyril of Jerusalem Church's first teen club, has been accused of sexually abusing 18 boys. The archdiocese paid \$1.5 million in 2002 to settle one of those claims.<sup>[38]</sup>

## Archdiocese of Louisville

Fr. Louis Miller, Louisville, Kentucky, United States. On March 31, 2003, Rev. Louis Miller of the Archdiocese of Louisville pled guilty to 44 counts of "indecent or immoral acts" and six charges of first degree sexual abuse, relating to incidents involving at least 21 children between 1957 and 1982. Miller also pled guilty to 14 further charges in Oldham County, Kentucky. Miller was sentenced to 20 years imprisonment on the Louisville convictions. The Archdiocese of Louisville made a \$25.7 million settlement involving 243 victims of sexual abuse, which was approved by a Louisville court on August 1, 2003.

## Archdiocese of Miami

Since 1966, the Archdiocese of Miami Insurance Programs have paid \$26.1 million in settlement, legal and counseling costs associated with sexual misconduct allegations made by minors involving priests, laity and religious brothers and sisters.<sup>[39]</sup>

### **Archbishop John Favalora has been deposed in a lawsuit filed against retired Broward priest Neil Doherty; at least four lawsuits alleged the Archdiocese knew Doherty was a pedophile and covered-up allegations.**

Doherty was removed from ministry in 2002 by Archbishop Favalora. Three years later, he was first publicly accused of sexual abuse in 2005. Favalora claims in his published deposition, that he removed Doherty after going through approximately 400 priest personal files and found old allegations of abuse against Doherty that took place under the administration of the previous and now deceased archbishop. Two of these Doherty cases were settled together with four others in July 2006 for \$750,000.<sup>[40] [41] [42]</sup>

In October 2006, U.S. congressman Mark Foley confessed he was molested as a 16 year old teenager by Fr. Anthony Mercieca who acknowledged the molestation.<sup>[43]</sup> Although Foley never filed suit, another man came forward shortly thereafter and filed a lawsuit anonymously claiming similar abuse. That lawsuit was settled in July 2007.<sup>[44]</sup> Fr. Mercieca denied any abuse of the second man.<sup>[45]</sup>

In July 2007, Miami lawyer Jeffrey Herman announced new lawsuits against the Archdiocese, alleging sexual abuse by six previously accused priests, including Neil Doherty. One of the lawsuits is for an allegation that was previously investigated by the State Attorney's office and was deemed not credible. The investigation was dropped and the priest remains active in ministry. The Archdiocese has stated it will defend him vigorously.<sup>[46] [47]</sup>

## Diocese of Orange

■ On January 3, 2005 Bishop Tod Brown of the Diocese of Orange apologized to 87 alleged victims of sexual abuse and announced a settlement of \$100 million following two years of mediation. The suits alleged sexual misconduct on the part of 30 priests, 2 nuns, 1 religious brother, and 10 lay personnel into the 1980s; 11 claims were against Eleuterio Ramos and 9 against Siegfried Widera, both deceased (Widera by suicide).<sup>[48]</sup> About 25 cases involved abuse dating before the creation of the Diocese of Orange, one to 1936.<sup>[49]</sup> It was the first settlement in California arising from the Roman Catholic Church sex abuse scandal of the late 20th and early 21st centuries, and remained the largest settlement (though not the largest judgment) arising out of the scandal until the Archdiocese of Los Angeles announced a \$660 million settlement in July 15, 2007. About half of the sum was covered by liability insurance. The diocese had also sharply cut costs to prepare for the settlement in the preceding months. These steps enabled the Diocese of Orange agree to the settlement without closing schools or parishes, or more severe measures required of other U.S. dioceses caught up in the scandal.<sup>[50]</sup>

■ In 2003 Nine men sued the diocese alleging that Msgr. Michael A. Harris, their former principal, sexually assaulted them while they attended Mater Dei High School in Santa Ana or Santa Margarita High School in Rancho Santa Margarita. Harris quit the priesthood in 2001 after the Los Angeles and Orange dioceses paid \$5.2 million to one of his alleged victims.<sup>[51]</sup>

## Diocese of Phoenix

On November 21, 2005, Monsignor Dale Fushek of the Diocese of Phoenix was arrested and charged with 10 criminal misdemeanor counts related to alleged inappropriate sexual contact with teens and young adults.<sup>[52]</sup>

Also in November of 2005 Fr. Paul LeBrun was found guilty of six counts in the sexual abuse of boys when he was stationed in the West Valley.<sup>[53] [54]</sup>

Fr. Joseph Briceno fled to Mexico and was later captured and charged with one count of sexual abuse, six counts of sexual conduct with a minor and one count of attempted sexual conduct with a minor.<sup>[55] [56]</sup>

In December of 2006 the Catholic Diocese of Phoenix agreed to pay \$100,000 to William Cesolini who claimed he was sexually assaulted as a teenager by a priest, Mark Lehman, and a former teen minister, Phil Baniewicz, at a Mesa church. Monsignor Dale Fushek, who was pastor of that parish and co-founded Life Teen, the nation's largest Catholic youth ministry

with Baniewicz, was accused in the suit of giving alcohol to the teen and then watching Lehman sexually abuse Cesolini.<sup>[57]</sup>

## Archdiocese of Portland

■The Archdiocese of Portland filed for Chapter 11 reorganization on July 6, 2004, hours before two abuse trials were set to begin. Portland became the first Catholic diocese to file for bankruptcy. An open letter to the archdiocese's parishioners explained the archbishop's motivation:

This is not an effort to avoid responsibility. It is, in fact, the only way I can assure that other claimants can be offered fair compensation. We have worked diligently to settle claims of clergy misconduct. In the last four years, we have settled more than 100 such claims. Last year alone the Archdiocese paid almost \$21 million from its own funds. Major insurers have abandoned us and are not paying what they should on the claims. Two cases are set for trials beginning today. One plaintiff seeks more than \$130 million in compensatory and punitive damages, the other \$25 million. We have made every effort to settle these claims fairly but the demand of each of these plaintiffs remains in the millions. I am committed to just compensation. These demands go beyond compensation. With 60 other claims pending, I cannot in justice and prudence pay the demands of these two plaintiffs.

The archdiocese had settled more than one hundred previous claims for a sum of over \$53 million. The filing seeks to protect parish assets, school money and trust funds from plaintiffs: the archdiocese's contention is that parish assets are not the archdiocese's assets. Plaintiffs in the cases against the archdiocese have argued that the Catholic church is a single entity, and that the Vatican should be liable for any damages awarded in judgment of pending sexual abuse cases.

After the filing, an April 29, 2005 deadline was set by the bankruptcy court to allow other people to file complaints. According to an October 2005 archbishop's column in the *Catholic Sentinel*, nearly 200 more claims of all kinds were filed as a result. That column also noted that the archdiocese has filed suit against insurance companies to compel them to contribute financially to the settlement expected to arise out of the reorganization.

A press release (<http://www.archpdx.org/bankruptcy/joint-newsconfer-0417.html>) issued by the Archdiocese of Portland on April 17, 2007 announced a settlement plan had been reached and a bankruptcy court had approved a financial plan of reorganization.

## Diocese of San Diego

On February 27, 2007, the Diocese of San Diego filed for Chapter 11 protection, hours before the first of about 150 lawsuits was due to be heard. San Diego became the largest diocese to postpone its legal problems in this way.<sup>[58]</sup>

On September 7, 2007, The Roman Catholic Diocese of San Diego agreed to pay \$198.1 million to settle 144 claims of sexual abuse by clergy, the 2nd-largest payment by a diocese, terminating 4 years of settlement talks in state and federal courts.

## Diocese of Spokane

■Under Bishop William S. Skylstad the Diocese of Spokane declared bankruptcy to protect it from claims of people abused by priests in December of 2004. The Diocese of Spokane as part of its bankruptcy has agreed to pay at least \$48 million as compensation. This payout has to be agreed to by the victims and a Judge before it will be made. According to Federal Bankruptcy Judge Gregg W. Zive, money for the settlement would come from insurance companies, the sale of church property, contributions from Catholic groups and from the diocese's parishes.<sup>[59]</sup>

## Diocese of Tucson

■The Diocese of Tucson filed bankruptcy in September, 2004. The Diocese of Tucson reached an agreement with plaintiffs, which the bankruptcy judge approved on June 11, 2005, specifying terms that included allowing the diocese reorganization to continue in return for a \$22.2 million settlement.

## See also

Roman Catholic sex abuse cases  
List of Roman Catholic priests accused of sex offenses  
Crimen sollicitationis  
Homosexuality in the Roman Catholic priesthood

## References

- .1 ^ <http://brokenrites.alphalink.com.au/>
- .2 ^ Australian archbishop steps aside ([http://www.theglobeandmail.com/servlet/Page/document/v5/content/subscribe?](http://www.theglobeandmail.com/servlet/Page/document/v5/content/subscribe?user_URL=http://www.theglobeandmail.com%2Fservlet%2FArticleNews%2Ffront%2FRFTGAM%2F20020820%2Fwpell%2Ffront%2FhomeBN%2Fbreakingnews&ord=5442907&brand=theglobeandmail&force_login=true)  
[http://www.theglobeandmail.com%2Fservlet%2FArticleNews%2Ffront%2FRFTGAM%2F20020820%2Fwpell%2Ffront%2FhomeBN%2Fbreakingnews&ord=5442907&brand=theglobeandmail&force\\_login=true](http://www.theglobeandmail.com%2Fservlet%2FArticleNews%2Ffront%2FRFTGAM%2F20020820%2Fwpell%2Ffront%2FhomeBN%2Fbreakingnews&ord=5442907&brand=theglobeandmail&force_login=true))
- .3 ^ <http://www.theage.com.au/articles/2002/10/14/1034561097748.html>
- .4 ^ <http://www.smh.com.au/articles/2002/06/01/1022569845430.html>
- .5 ^ <http://www.catholicweekly.com.au/02/aug/4/01.html>
- .6 ^ [http://blogs.theaustralian.news.com.au/garyhughes/index.php/news/comments/catholic\\_sex\\_abuse\\_extradition\\_battle/](http://blogs.theaustralian.news.com.au/garyhughes/index.php/news/comments/catholic_sex_abuse_extradition_battle/)
- .7 ^ <http://news.bbc.co.uk/2/hi/europe/78503.stm>
- .8 ^ <http://www.brazzilmag.com/content/view/4584/54/>
- .9 ^ [http://findarticles.com/p/articles/mi\\_m1141/is\\_7\\_42/ai\\_n15969578](http://findarticles.com/p/articles/mi_m1141/is_7_42/ai_n15969578)
- .10 ^ <http://www.reuters.com/article/topNews/idUSN1528958320070715>
- .11 ^ <http://www.multiline.com.au/~johnm/ethics/integrity2.htm>
- .12 ^ <http://www.library.mun.ca/qeii/cns/archives/exhibits.php>
- .13 ^ <http://www.releases.gov.nl.ca/releases/2002/just/1213n07.htm>
- .14 ^ <http://www.nopedo.org/english/pages/actualite12.html>
- .15 ^ <http://www.praguepost.com/P03/2003/Art/0402/news7.php>
- .16 ^ <http://www.reuters.com/article/topNews/idUSN1528958320070715>
- .17 ^ [http://findarticles.com/p/articles/mi\\_m1141/is\\_39\\_37/ai\\_78728707](http://findarticles.com/p/articles/mi_m1141/is_39_37/ai_78728707)
- .18 ^ <http://www.bishop-accountability.org/ferns/>
- .19 ^ <sup>abc</sup> <http://www.npr.org/templates/story/story.php?storyId=11336777>
- .20 ^ <http://www.regainnetwork.org/category.php?c=245671635>
- .21 ^ <http://www.rickross.com/reference/loc/loc46.html>
- .22 ^ <http://www.guardian.co.uk/international/story/0,,1779335,00.html>
- .23 ^ AP.google.com, Group: Mexican Cardinal Knew of Abuse (<http://ap.google.com/article/ALeqM5h66v5Li4UpU7si98eAbfyEghzKA>)
- .24 ^ <http://tvnz.co.nz/view/page/411419/707206>
- .25 ^ <http://www.cathnews.com/news/611/22.php>
- .26 ^ <http://news.bbc.co.uk/1/hi/world/asia-pacific/2116154.stm>
- .27 ^ <http://www.cwnews.com/news/viewstory.cfm?recnum=24828>
- .28 ^ <http://www.reuters.com/article/topNews/idUSN1528958320070715>
- .29 ^ [http://www.catholic.org/international/international\\_story.php?id=23324](http://www.catholic.org/international/international_story.php?id=23324)
- .30 ^ [http://www.boston.com/globe/spotlight/abuse/stories5/042104\\_sale.htm](http://www.boston.com/globe/spotlight/abuse/stories5/042104_sale.htm)
- .31 ^ [http://www.boston.com/globe/spotlight/abuse/stories5/042104\\_statement.htm](http://www.boston.com/globe/spotlight/abuse/stories5/042104_statement.htm)
- .32 ^ [http://www.cbsnews.com/stories/2006/10/10/national/main2079538.shtml?source=RSSattr=U.S.\\_2079538](http://www.cbsnews.com/stories/2006/10/10/national/main2079538.shtml?source=RSSattr=U.S._2079538)
- .33 ^ <http://www.radioiowa.com/gestalt/go.cfm?objectid=EBFBFD11-0458-42B8-A37CA7389CCE932A>
- .34 ^ LA diocese settles abuse claims (<http://news.bbc.co.uk/1/hi/world/americas/6200882.stm>) 1 December 2006
- .35 ^ LA church to pay \$600M for clergy abuse ([http://news.yahoo.com/s/ap/20070714/ap\\_on\\_re\\_us/church\\_abuse;\\_ylt=A0WTUcnRXZIGpC8BMyKs0NUE](http://news.yahoo.com/s/ap/20070714/ap_on_re_us/church_abuse;_ylt=A0WTUcnRXZIGpC8BMyKs0NUE)) July 14, 2007
- .36 ^ <http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2006/10/25/DDGDQLUMCM1.DTL>
- .37 ^ [http://www.nytimes.com/2006/04/18/washington/18church.html?\\_r=1&oref=slogin](http://www.nytimes.com/2006/04/18/washington/18church.html?_r=1&oref=slogin)
- .38 ^ [http://www.snapnetwork.org/priest\\_stories/unnerving\\_choices.htm](http://www.snapnetwork.org/priest_stories/unnerving_choices.htm)
- .39 ^ <http://www.miamiarch.org/ip.asp?op=F140000&lg=E>
- .40 ^ [http://www.bishop-accountability.org/news2006/07\\_08/2006\\_07\\_21\\_Sherman\\_ArchdiocesePays.htm](http://www.bishop-accountability.org/news2006/07_08/2006_07_21_Sherman_ArchdiocesePays.htm)
- .41 ^ [http://www.bishop-accountability.org/news2006/01\\_02/2006\\_01\\_28\\_Santiago\\_AttorneySays.htm](http://www.bishop-accountability.org/news2006/01_02/2006_01_28_Santiago_AttorneySays.htm)
- .42 ^ [http://www.bishop-accountability.org/news2007/01\\_02/2007\\_02\\_20\\_Weaver\\_ArchbishopDeposed.htm](http://www.bishop-accountability.org/news2007/01_02/2007_02_20_Weaver_ArchbishopDeposed.htm)
- .43 ^ <http://www.cnn.com/2006/POLITICS/10/20/foley.priest/index.html>
- .44 ^ <http://tallahassee.com/legacy/special/blogs/2007/07/miami-archdiocese-settles-abuse-lawsuit.html>
- .45 ^ [http://www.usatoday.com/news/world/2006-10-27-foley-priest\\_x.htm](http://www.usatoday.com/news/world/2006-10-27-foley-priest_x.htm)
- .46 ^ [http://www.bishop-accountability.org/news2007/07\\_08/2007\\_07\\_19\\_Corral\\_SixPriests.htm](http://www.bishop-accountability.org/news2007/07_08/2007_07_19_Corral_SixPriests.htm)
- .47 ^ <http://www.miamiarch.org/ip.asp?op=H1000070719A>
- .48 ^ <http://www.cbsnews.com/stories/2004/11/23/national/main657155.shtml> California Diocese Settles Abuse Cases
- .49 ^ <http://www.the-tidings.com/2005/0107/orange.htm> Orange Diocese to release files in \$100 million settlement
- .50 ^ <http://www.the-tidings.com/2005/0107/orange.htm> Orange Diocese to release files in \$100 million settlement
- .51 ^ <http://www.bishop-accountability.org/news/2005-01-04-Guccione-OrangeBishop.htm>
- .52 ^ <http://www.cnn.com/2005/LAW/11/21/priest.arrested.ap/index.html>
- .53 ^ [http://www.bishop-accountability.org/news2005\\_07\\_12/2005\\_11\\_17\\_Walsh\\_PriestConvicted.htm](http://www.bishop-accountability.org/news2005_07_12/2005_11_17_Walsh_PriestConvicted.htm)
- .54 ^ [http://www.tucsoncitizen.com/news/local/111805a1\\_churchabuse](http://www.tucsoncitizen.com/news/local/111805a1_churchabuse)
- .55 ^ <http://rickross.net/reference/clergy/clergy613.html>
- .56 ^ <http://www.westvalleyview.com/main.asp?SectionID=2&SubSectionID=1&ArticleID=20317>
- .57 ^ [http://www.bishop-accountability.org/news2006/11\\_12/2006\\_12\\_27\\_AP\\_CatholicDiocese.htm](http://www.bishop-accountability.org/news2006/11_12/2006_12_27_AP_CatholicDiocese.htm)
- .58 ^ <http://www.signonsandiego.com/news/metro/20070228-9999-7n28diocese.html>
- .59 ^ <http://news.bbc.co.uk/1/hi/world/americas/6232947.stm>