

Bishop Accountability

Bitterness in Brooklyn Diocese over Abuse Case

By Daniel J. Wakin
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When three nuns came forward in 1996 with reports that three priests had sexually abused adolescent boys in a Fort Greene parish 20 years before, the Diocese of Brooklyn, led by Bishop Thomas V. Daily, assured the nuns that it would act aggressively.

One priest, it turned out, had died. Another denied the charges. But one, officials with the diocese said, confessed to having molested a child.

The diocese said it forced that priest to give up his duties at his parish, and that he had moved to Florida and was told to no longer work as a priest. But the diocese never informed the nuns or the victim of its action. And, as was then common practice, the diocese decided not to notify law enforcement officials who might have wanted to investigate whether the priest who admitted to the sexual abuse victimized others in the intervening years.

The case has left a trail of bitterness, as well as competing claims over whether enough was done.

The nuns say they have made their allegations public because they resent the diocese's secrecy and what they consider its inadequate action. The diocese said it handled everything fairly, that it had no responsibility to inform the nuns, and that it wanted to contact the victim, but that he never came forward. And following its policy and the usual practice in other dioceses, it did not contact law enforcement officials involving reports of abuse long ago.

The case, and others, shows the tension between church officials who say they are handling the cases fairly and conscientiously, and victims and others who say the church is mostly interested in keeping the abuses quiet.

Charges that Bishop Daily failed to aggressively investigate another complaint of sexual abuse surfaced this week when a priest in New Jersey said he told the bishop in 1998 that he had been abused years ago by a priest now in the Brooklyn diocese, but that the bishop had done nothing more than ask the priest and accept his denial. [See Wakin, [Bishop Saw No Merit in Priest vs. Priest.](#)]

The details of those charges were first reported in The Boston Globe. [See Rezendes, [Ex-Mass. Bishop Accused of Ignoring Abuse in NYC.](#)]

With the current wave of pedophile priest scandals, dioceses around the country are poring through old personnel files and re-examining sex abuse allegations. Many are turning over the names of priests from long-gone cases to prosecutors and even making the names public.

But Brooklyn is not one of them. In fact, no diocese in the New York metropolitan area is turning over names wholesale, though the bishops in Rockville Centre, on Long Island, and New York this week signaled a willingness to report new cases to the authorities. At the moment, New York law does not require church officials — unlike teachers, social workers and other professionals who work with children — to report allegations of sexual abuse of minors to law enforcement agencies.

The priest involved in the Brooklyn case, now living in Florida and no longer in active ministry, says the abuse never happened.

But the nuns involved in the case said the episode demonstrated the consequences of the church's preference of keeping cases of sexual abuse quiet and handled by its own officials. Indeed, the victim who went to the nuns in the 1996 case, Carlos Cruz, was stunned to hear from a reporter that the priest had been disciplined at all.

"Get out of here!" he said. "Huh. That's news. Right now, once these chills stop going through my body — I don't know. It's like a shock."

The nuns were not the only ones to go to the diocese to complain about abuse at the Fort Greene church, St. Michael-St. Edward's. Shortly after they made their complaint in 1996, a woman came forward at their urging to make similar complaints about priests at the parish regarding one of her two sons. The diocese said the complaints involved the priest who had died, and that it offered the sons counseling, but it again made no report to law enforcement authorities.

For the nuns, the story of Mr. Cruz's experience best illustrates the problems of how the diocese handles abuse cases. They said they got wind of possible abuse at St. Michael-St. Edward's Church dating to the mid- 1970's after a chance encounter with the mother of the two sons in 1993. The nuns, Sisters Sally Butler, Sheila Buhse and Georgianna Glose of the Dominican order based in Amityville, N.Y., had served in the parish church in the mid-1970's with the three priests.

After meeting with Mr. Cruz and trying to track down other victims, the nuns — who now do social work in Brooklyn — finally met with diocesan officials in January 1996. They said they passed on an accusation by Mr. Cruz that one of the priests, the Rev. Anthony J. Failla, had molested him. They said Mr. Cruz himself was reluctant to report the abuse personally, but the diocesan officials appeared to take the claims seriously.

In letters to the sisters in 1996, Monsignor Otto Garcia, the chancellor of the diocese, said several times that he wanted to speak directly to all the victims, including Mr. Cruz. He promised that Bishop Daily would act "decisively and responsibly" after an investigation.

"When we discovered that there were some allegations with credibility, to the best of our ability, we investigated them and we took action," Monsignor Garcia said in an interview.

The main action was directed at Father Failla. "He admitted an indiscretion," Monsignor Garcia said. "I think there was some touching involved."

Father Failla, a beloved pastor who was active as an advocate for the homeless and for low-cost housing, was ordered to stop working as a priest and to undergo psychological counseling, the monsignor said. The priest, who by that time had served nearly 20 years at another church, St. Finbar's, abruptly left in the summer of 1997, nearly 18 months after the diocese first heard about the accusations against him. The parishioners were never told about the allegations.

Father Failla now lives in Boca Raton, Fla. Frank DeRosa, a spokesman for the Brooklyn Diocese, said Bishop Daily had informed the Palm Beach bishop, Joseph Keith Symons, of Father Failla's situation.

The Palm Beach Diocese acknowledged receiving a letter from Brooklyn about his presence there. Bishop Symons himself later resigned after admitting he had sexually molested five boys earlier in his career. There is no indication that Father Failla was active as a priest in the Palm Beach area.

Father Failla, in a telephone interview last week, denied ever confessing to Monsignor Garcia that he molested Mr. Cruz. "I'm sorry, he doesn't know what he's talking about," he said. "I'm really not impressed with what he said. I think he misunderstood. I never fondled anybody, never touched anybody."

He said he had left St. Finbar's because he was ill, and was not working as a priest. He said he did little but rest.

Monsignor Garcia said there was little the church could do for Mr. Cruz because he never could be convinced to come forward personally.

"We have asked time and time again that Carlos Cruz be asked to come to speak with us," he said. "He should contact us." The monsignor would not elaborate on why the diocese could not at least relate the action it had taken to Mr. Cruz through the nuns.

Mr. Cruz said he did not remember anyone telling him to go to the diocese, and he never thought to. "I knew what happened," he said. "Nothing was done about it."

The nuns said they were prompted to make their campaign public because of news reports in January about court papers that appeared to show that Bishop Daily had muted a sex abuse scandal while serving as an auxiliary bishop in Boston in the 1980's.

They said they had felt frustrated by the diocese's response to their reports of abuse at the parish. They said the victims deserved special attention because they were poor, Latino and in many ways powerless.

"The idea was to protect the church," Sister Buhse said. "We wanted them to protect the children. We didn't hear that at all."

St. Michael-St. Edward's Church, a gray brick building with Romanesque arches and turrets, was built in 1891. Now, it sits submerged in a forest of housing project buildings.

In the early 1970's, the church was the scene of an unusual experiment. The three nuns were assigned there to help carry out pastoral duties, a departure from traditional jobs like teaching. They teamed up with the three priests there and together, in 1975, also took on nearby St. Boniface's Church. The New York Times devoted several lengthy articles to their efforts.

In 1973, Carlos Cruz was a 12-year-old living alone with his mother in the Walt Whitman houses next door to St. Michael-St. Edward's. Mr. Cruz soon took an after-school job doing chores at the rectory.

That Christmas his mother bought him a drum set. After school, Carlos would pick up his sticks, and his mother would come out into the living room, dancing to the beat. One day she did not emerge. She was dead. The priests and nuns took him in, giving him a small room next to Father Failla.

"I figured it was all right there, a bunch of nuns and priests," he said. At some point — Mr. Cruz said he did not remember exactly when — Father Failla invited him into his room to watch television.

"I remember dozing off and waking up, and he'd be touching me, and trying to grab my hand to put it on him," he said. "I was scared, you know, I'm like, what the hell, you know. So I don't know, should I act like I'm asleep? Should I get the hell out of here? Who's going to believe me? I wanted to tell somebody, but I'm thinking, they'll call me a liar. He's a priest."

The molestation continued for perhaps a year, he said. Mr. Cruz said his "safe guess" was that it happened about 10 times.

Mr. Cruz said he eventually reported the activity to another priest. In 1975, Father Failla moved to St. Boniface, and Sister Butler said she became a kind of mother to Mr. Cruz, who still calls her Mom.

Mr. Cruz began acting violently and left the rectory at age 17, finding his way eventually to a quiet, slightly run-down street in Schenectady, where he is living with his wife and four of his five children. He said depression, insomnia and agoraphobia prevented him from holding a job. He said he had anxiety and panic attacks.

Now 40, he said he did not want an apology, and he did not plan to file a lawsuit. "What are you saying sorry for, the fact that you covered it up?" He said he wanted to speak out to help rid himself of demons, and to help others.

In a broader sense, what happened to Mr. Cruz was part of something that went awry at St. Michael-St. Edward's.

"There were probably too many boundaries not kept," said the nuns' former prioress, Sister Mary Hughes. "Those were really bizarre times. Social activism was at its height."

Sister Hughes and Monsignor Garcia said alcohol was a problem in the rectory and that the presence of a child living there was unusual. Another boy who frequented the rectory, Richard Vargas, now a social worker in Brooklyn, said talk about sex by at least one of the priests was common.

Mr. Cruz, Mr. Vargas and the nuns all gave accounts of activities like the "ice game," in which a priest would dump a bucket of ice in the pants of a boy, or "pink belly," in which a boy would be held down while the priest would slap his belly.

Nearly 30 years later, bad blood is rampant. The nuns speak angrily of the priests. And Monsignor Garcia does not welcome the nuns' intervention any more, or their decision to make public their claims.

"If the sisters performed what we think is a positive service to us, we were grateful for that, but now it's time for us to deal with the situation and directly with the people," he said.

As for the nuns, they say that the allegations of abuse have been so upsetting that attending Mass makes them feel physically sick. "It eats at your soul," Sister Butler said.

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