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2 Priests' Careers Show Flaws, Success of Personnel Policy

By Nicole Sterghos
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The two priests arrived in South Florida nine years apart, both fresh from the New York area and both carrying heavy baggage: allegations that they had sexually abused adolescent boys.

Both tried to blend into the black-collared ranks of the five-county Diocese of Palm Beach, but only one ultimately succeeded. The reason: The Rev. Peter Duvelsdorf came bearing a letter of blessing from his past bishop. The Rev. Anthony Failla, kicked out of his Brooklyn diocese and ordered into counseling, did not.

Duvelsdorf's 40-year career, ending with an arrest on charges that he exposed himself to a stranger in a St. Lucie County park six years after he joined the Palm Beach diocese, serves as just another chapter in the unfolding saga of secrecy and scandal that is rocking the Catholic Church.

Failla's rapid fall from the pulpit, meanwhile, shows that the church has made some strides in its uneven attempts to lock the altar doors against problem priests. But local church officials agree their efforts had some pitfalls, even if they were able to keep Failla out of the pulpit in the end.

In December 2000, three years after Failla allegedly admitted fondling a boy in his Brooklyn parish and was ordered to stop working as a priest, he surfaced in Boca Raton, leading Mass and hearing confessions at St. Joan of Arc Catholic Church. It was about a month before Monsignor John McMahon discovered that Failla, who now lives in Boca Raton, did not have the proper credentials.

When he did, he told Failla he had to go, McMahon said Wednesday.

"Ultimately, it was my responsibility," McMahon said of his failure to immediately check for Failla's paperwork. "I delegated it to a staff member, and it slipped through."

The Diocese of Palm Beach, like others, has a long-standing policy requiring priests transferred from another location to carry a "certificate of aptitude" from their past bishop clearing them for continued service in the ministry.

Coupled with criminal background checks, the certificates are the main tool used by dioceses such as Palm Beach's to weed out priests with troubled pasts. But the system has proved flawed over the years, as dozens of priests have been allowed to move from parish to parish and diocese to diocese, despite allegations of abuse and the quiet financial settlements they sometimes bring.

The problem, critics say, is twofold: Criminal checks identify only the rare instance when a priest has been charged with a crime, and the certificates rely on the candor of a church hierarchy known for covering up past abuses.

"You're relying on a hierarchy that refuses to recognize there's a problem," said Robert Sherman, a Boston attorney whose law firm, Greenberg Traurig, has represented plaintiffs in 300 lawsuits against the church and abusive priests since 1991.

What's needed, Sherman said, is for the church to add more stringent policies, including reporting alleged incidents of abuse to police as soon as they are learned.

4 churches in 12 years

Duvelsdorf's case is an example of a checkered career that was allowed to proceed by silent superiors.

In the late 1970s, after 20 years as a cleric known for his knack with children, Duvelsdorf took two teenage parishioners, Daniel and Matthew Maurer, under his wing on Long Island, the Maurer brothers told Newsday. He took them to dinner and, with their parents' permission, to Florida theme parks.

Before long, the kindly priest turned from mentor to molester, fondling both boys several times over several months, the Maurers said. When their mother confronted their parish pastor in 1978, Duvelsdorf disappeared from the church. He was to move on to four more churches over the next 12 years, church officials and the family said.

In 1991, Duvelsdorf showed up in Palm Beach County, carrying with him the required letter from his bishop, said Lorraine Sabatella, a chancellor at the Diocese of Palm Beach. For the next six years, he worked first at Holy Cross Church in Vero Beach and then at St. Paul of the Cross in North Palm Beach as an extern priest, a status given those visiting from another diocese.

Sabatella said she has no record of Duvelsdorf after November 1997, when police say he masturbated in front of a man whose car had broken down in a St. Lucie County park. Duvelsdorf was sentenced to probation and ordered to have no contact with children.

Now retired and living in a diocesan residence for retired priests in New York, Duvelsdorf could not be reached for comment.

Checking credentials

Just as Duvelsdorf was facing prosecutors, Failla was facing his own accusers. Three nuns in Brooklyn came forward with reports he had molested a teenage boy. When confronted by Monsignor Otto Garcia, chancellor of the Brooklyn diocese, Failla confessed to some inappropriate touching, Garcia told The New York Times.

Reached on Wednesday at his Boca Raton home, Failla said he did not want to comment. But he told the Times that he had never made any such admission and that he had not fondled anyone. Acting on the alleged confession, though, his bishop, Thomas V. Daily, ordered him to stop his ministry and to get psychological counseling, Daily's spokesman, Frank DeRosa, confirmed on Wednesday.

By the summer of 1997, Failla had left Brooklyn, headed for Boca Raton, familiar territory for Daily. He had been bishop of the Palm Beach diocese from its founding in 1984 until 1990.

As a "courtesy," Daily wrote a letter to J. Keith Symons, his successor as Palm Beach bishop, to tell him that Failla was headed to his area and that he had lost permission to serve as a priest, DeRosa said.

Failla did not follow typical procedure by going through the diocese, instead approaching St. Joan of Arc directly for a job. McMahon did not know of Daily's letter or Failla's past. So when Failla approached him in December 2000, saying he had retired with a bad back and wondered if St. Joan of Arc could use his assistance, McMahon said he could help out as long as he had the proper paperwork.

It was a busy time, the height of the holiday season, and churches often lean on extern and retired priests to help serve large congregations such as St. Joan of Arc, with 6,500 families, said Deacon Sam Barbaro, the diocese spokesman.

About a month later, McMahon realized Failla still had not turned in his credentials. When McMahon

asked him about it, Failla declined to fill out an application that Daily would have had to confirm and left St. Joan of Arc.

McMahon said he now will be diligent in personally checking the paperwork of every incoming priest. And Barbaro said the diocese overall will be more aggressive in adhering to its policies.

"There's going to be much, much closer scrutiny now," Barbaro said. "Thankfully, the system did work and we didn't have this individual continuing in any fashion."

Daily was caught up in the Boston scandal when 46 lawsuits accused him of covering up the chronic misconduct of defrocked Boston priest John J. Geoghan, now serving prison for molesting a 10-year-old. The lawsuits, along with 38 others, were settled for up to \$30 million last week.

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