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## Delayed Justice Angers NY Archdiocese Priests

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The cry of justice delayed being justice denied is a familiar refrain. But it hasn't often been heard in the context of priests directing anger and frustration at their cardinal archbishop or the Holy See in Rome.

It is, however, being heard loud and clear in the case of Monsignor Charles Kavanagh, for years a leading cleric in the archdiocese of New York, but now a man standing under the long shadow of a serious accusation.

Since May of 2002, Msgr. Kavanagh has been on administrative leave from his position in the archdiocese, where for years he served as vicar of development, a job that is primarily focused on raising funds and organizing major events.

It was Msgr. Kavanagh who led the organizing for the funeral of the late Cardinal John O'Connor in 2000.

But Kavanagh's work came to a sudden halt two years later when an accusation was made by a former seminarian that Kavanagh had engaged in an inappropriate relationship with him twenty years ago.

Since the accusation surfaced, Kavanagh has continued to work in community-based projects, most especially in the Bronx where he was pastor at St. Raymond's prior to being put on leave.

But he has not been active in the workings of the archdiocese.

Several months ago, 75 priests wrote a letter to Cardinal Edward Egan expressing frustration over delays in generally dealing with cases where priests are accused of inappropriate behavior.

But it is the delay in deciding the merits or otherwise of the case against Msgr. Kavanagh that has caused particular angst.

That delay is rooted in new policies adopted by the Catholic Church in response to the recent spate of child abuse scandals.

The Kavanagh case file has been sent to the Vatican where it rests in the hands of the Congregation for the Doctrine of the Faith.

Kavanagh has submitted statements to the congregation in his own defense and traveled to Rome earlier this year to speak for himself.

But no word has been heard since from the Vatican.

"Charlie is on administrative leave. If he had been suspended that would have resulted in immediate action, but instead he is in a kind of limbo," said Father Edward Byrne a classmate of Kavanagh's from their seminary days forty years ago, and one of his leading supporters among the archdiocese's priests.

"Principally, the frustration being felt is over the secrecy that surrounds the whole process. The accused person never seems to know what is going on," Byrne, who is pastor of St. Ann's Church in the Westchester County village of Ossining, said.

Byrne said that Kavanagh had thousands of supporters in the archdiocese backing his claim of innocence.

Kavanagh's accuser, Daniel Donohue, has charged that Kavanagh had what the Journal News in Westchester reported as "an intense, six year relationship with him with romantic and sexual overtones."

The alleged relationship took place when Donahue, now 40 and living on the West Coast, was a freshman at Cathedral Preparatory School in Manhattan, a high school where young men considering the priesthood are educated.

Serious though the charge is, however, it is the lack of some form of public due process that is stirring passion and argument among priests and laity in the archdiocese.

"There has been no compassion or understanding for someone whose whole life is the ministry," said Fr. Byrne.

"There is silence as opposed to dialogue. We're trying to find a way to engage in dialogue," he said.

Kavanagh, who was not available for interview for this report, was reportedly told a year ago that an archdiocesan review board made up of laypeople had determined that he was guilty of the charge of having an inappropriate relationship and that he had been asked to resign by Cardinal Edward Egan.

Kavanagh reportedly refused and the matter was subsequently passed to the Vatican.

Joe Zwilling, a spokesman for the archdiocese, said that the general issue of how accusations against priests in the archdiocese, which was the subject of the letter signed by 75 priests, had been discussed in meetings between priests and Cardinal Egan.

The Kavanagh case, he indicated, was being dealt with under a new procedure brought in by the church following the recent abuse scandals.

"This is a new procedure, something we have not dealt with before so there is no precedent to go by," Zwilling said.

"The Holy See wants to first make sure that the proper procedure is followed so that everyone's rights are respected."

Nobody wanted to see action in the matter that was in haste or inappropriate. "The archdiocese and Cardinal Egan are anxious that this case is resolved. Monsignor Kavanagh has the advice of his canonical advisers every step of the way, but we don't control the process," Zwilling said.

Father Ed Byrne, however, believes that procedure and process are delaying a determination that his old friend is innocent.

"Charlie's case has been out there for two years but the district attorney offices in the Bronx and Manhattan have not seen fit to bring charges.

"He has passed two polygraph tests and other students (from Cathedral Prep.) have written a letter on his behalf," said Byrne.

"Justice delayed is justice denied. They taught us that at the seminary," he said.

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