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Priest's Trial Starts in Erie

Accuser in New York Sex-Abuse Case Critical of Church's Secrecy, Denial

By Dana Massing
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Daniel Donohue says he's coming to Erie to tell the truth about what a Catholic priest did to him more than 20 years ago.

Donohue would prefer it if his family and the priest's supporters and even you could be there to hear.

But because he'll be giving testimony in a canonical trial, the doors will be closed to the public.

"This is all going to be silent," Donohue said.

Only the verdict will be revealed.

The trial of Monsignor Charles Kavanagh begins Monday at St. Mark Catholic Center, 429 E. Grandview Blvd.

Kavanagh, once a high-profile priest in the Archdiocese of New York, was suspended in 2002 after Donohue accused him of inappropriate touching. Kavanagh, who could be removed from the priesthood if found guilty, has denied sexually abusing Donohue.

The Vatican granted Kavanagh a trial before a church tribunal. It is being held in Erie because of publicity in New York.

"The proceedings are kept closed in order to safeguard the dignity and privacy of persons connected to the case and the overall integrity of the process," Monsignor Tom McSweeney, a spokesman for the Catholic Diocese of Erie, said.

He said Erie diocesan officials weren't at liberty to discuss details of the case.

Kavanagh couldn't be reached for comment. His canon lawyer, Patricia Dugan, didn't return a call.

Two of his supporters told the Erie Times-News that Kavanagh was unable to talk about the case because of the church's secrecy rules.

But as far as Donohue is concerned, the Catholic Church's secrecy and denial have ruined as many lives as sexual abuse by clergy.

He said no parents would have entrusted a child to a priest, as his did, if they had known about clergy sex abuse.

Donohue, 42, has accused Kavanagh, 69, of having a relationship with him that involved inappropriate touching when Donohue was a teenager and student at a New York school run by the priest.

Donohue and his sister, Patricia Donohue, of Pittsburgh, expressed disappointment in what they called the church's "lack of transparency" in cases of sexual abuse.

The siblings are scheduled to testify next week, she on Wednesday and he on Nov. 17. Their parents, another sister and another brother also will be witnesses, Patricia Donohue said.

She said her brother is strong, but the case has been devastating for him.

"He's really a survivor, but the wounds run deep," she said.

They are two of nine children from an Irish-Catholic family for which the church was central to their lives, Patricia Donohue said.

Daniel Donohue now describes himself as "not a Catholic."

Today, he manages a restaurant in Oregon, is married and has four children.

He said he knew the case against Kavanagh would not be short and easy. And its conclusion might not come in Erie.

"It's been a long and tedious process," Daniel Donohue said.

"I don't know that it ends in Erie. ... Kavanagh can appeal to Rome."

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About Canon Law The clergy sex-abuse trial that begins Monday in Erie will follow canon law, rather than U.S. criminal or civil law.

Canon law is the legal system of the Catholic Church. Canon lawyers are clergy members, female religious or laypeople who have a degree in canon law or special permission from the Vatican to practice canon law.

One of them, a "promoter of justice," similar to a district attorney, will present the case against Monsignor Charles Kavanagh, a New York priest.

He will be represented by a canon lawyer of his choosing.

The case against Kavanagh is being brought by the Archdiocese of New York, which is led by Cardinal Edward Egan.

"Technically, the trial is between Egan and Kavanagh, and Daniel (Donohue) is the key witness for Egan," Patricia Donohue said.

Her brother, Daniel Donohue, is Kavanagh's accuser.

Members of the Donohue family will be in Erie next week to testify. Daniel Donohue said the witnesses won't be in the room together.

The trial is closed to the public, and only the verdict will be revealed.

A panel of three canon law judges will preside. Their identities were not being revealed because of the privacy and confidentiality of the process, a Catholic Diocese of Erie spokesman said.

The judges will vote on Kavanagh's fate. He could appeal the decision to the Vatican.

If found guilty, Kavanagh could be defrocked.