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Catholics Turn to Courts In Cases of Priestly Abuse

By Douglas Martin
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A Poughkeepsie priest's sexual abuse of a young man has led to a suit against the Archdiocese of New York, one of a growing number of cases in which Roman Catholics are turning to the courts, rather than the church, to deal with abusive priests.

The suit seeks \$25 million from the priest, who pleaded guilty in October to sexually abusing the youth, and \$25 million more from the archdiocese. The complainants contend that archdiocesan officials put the priest in charge of a youth group knowing that he had abused other youths in a previous assignment.

"They put my client in harm's way, knowing what they knew," said Tracy Hoff, the lawyer who filed the suit in State Supreme Court in Poughkeepsie on behalf of the youth, now 17, and his mother. Ms. Hoff asked that her clients, both of whom are in psychiatric therapy, not be named.

The priest, the Rev. Daniel Calabrese, was assigned to St. Mary's Church in Poughkeepsie last March, when the incident occurred.

Religious Freedom Cited

Joseph G. Zwilling, a spokesman for the archdiocese, which includes Poughkeepsie, declined to comment on the suit and said the two lawyers involved with it were unavailable for comment.

Papers filed in the court by the archdiocese said, among other things, that the youth, 16 at the time of the incident on March 7, 1992, participated willingly and that any discussion of the church's personnel policies would violate Constitutional guarantees of religious freedom.

The problem of abuse by priests "is a crime of tremendous magnitude hanging over the Catholic Church," said Jeffrey R. Anderson, a lawyer in St. Paul, who is representing more than 200 people in 26 states who claim to have been sexually abused by priests.

According to Mr. Anderson and other lawyers involved in such cases, there are more than 2,000 civil suits nationally involving allegations of abuse by Catholic clergy.

"It's viewed by many as the greatest crisis the Catholic Church has faced," said Thomas C. Fox, editor of the National Catholic Reporter, an independent weekly.

'Recycle and Protect'

While Mr. Anderson says damage awards in such cases since 1985 exceed \$1 billion, he says most litigants' first concern is that the offending clergyman be disciplined within the church. Instead, he said the standard practice is to "recycle and protect these priests," which is what the plaintiffs say happened with Father Calabrese.

Mr. Anderson suggested several reasons for the church's approach, including a fatherlike loyalty of bishops toward priests, a belief that a stay at a treatment center can reform a sex offender and a shortage of priests.

Jeanne Miller, president of a national organization called Victims of Clergy Abuse Linkup, agreed that those who sue were principally interested in changing the church, though she said some will need "tens of thousands of dollars for therapy for a lifetime."

Her sentiments were emphasized by Bill Martin, a member of the New York chapter of the group. He said the group, which has 30 members in the city, was demanding a public apology from John Cardinal O'Connor and the dismissal of two top aides in charge of supervising priests in response to the Poughkeepsie case.

"We're very upset about their complacency," said Mr. Martin, who says he was abused by a priest as a child. "We demand that Cardinal O'Connor publicly ask every parish to have a service for victims of clergy abuse."

Guilty Plea and Sentence

A hearing date has not been set for the case against Father Calabrese and the archdiocese.

Father Calabrese was arrested on March 26, after the youth told his mother that the priest gave him vodka and performed oral sex on him in the parish rectory on March 7.

The priest was charged in Dutchess County Supreme Court with the felony offense of having deviant sexual intercourse with someone under 17, as well as the misdemeanor of giving alcohol to a minor.

He pleaded guilty and served 90 days in the Dutchess County jail. As part of the rest of his sentence, five years' probation, he is now at a treatment center for clergy in Jemez Springs, N.M.

The Dutchess County District Attorney, William V. Grady, said that during their investigation, the police learned of earlier incidents at St. Paul's Church in Congers, also in Dutchess County.

One set of parents who went to the church told of Father Calabrese providing beer for teen-age youths, Mr. Grady said, and another set told of him providing youths with a pornographic movie and then watching it with them.

Church Procedure Outlined

Both sets of parents said they had complained to the local parish and were assured Father Calabrese would be dealt with, Mr. Grady said. The parents did not complain to civil officials.

Less than two years later, Father Calabrese was assigned to the church in nearby Poughkeepsie.

Mr. Grady said that on the day of Father Calabrese's arrest, the pastor of St. Mary's Church, Philip Hill, asked two assistant district attorneys and a police lieutenant: "Can we make this go away if we make Father Calabrese go away?"

Father Hill yesterday denied making the remark. "As far as I'm concerned, it's a dead issue, a long time ago," he said.

Mr. Zwilling said the Archdiocese of New York had a standard procedure for dealing with sex abuse claims against priests. He said if there was substance

to the allegation, counseling was offered to the victim, his family and usually to the priest. Full cooperation is given civil authorities, he said.

"It is, fortunately, an unusual situation," the spokesman said.

Stronger Policies Elsewhere

Other dioceses have taken more aggressive steps in dealing with the problem.

In Chicago, for example, a board of six lay people and three priests has been set up to deal with the cases. There is also a full-time administrator to handle complaints and a 24-hour hotline.

"It is only in this generation that the victims' suffering has been recognized," said Eugene Kennedy, a psychology professor at Loyola University in Chicago.

The bigger problem, Dr. Kennedy believes, is that church officials take the advice of lawyers and insurers in addressing such incidents, rather than heeding the church's own teachings. Instead, he said, "They should listen to their hearts."

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