

# BishopAccountability.org

---

## Somewhere in the Issues Is the Truth

By Mike Levine  
Times Herald-Record  
January 15, 2007

Sunday, August 6, 1995 - In early evening, when mountain air is sweet, the Sullivan County jury files into a stuffy, bare room.

A vigil waits behind in the courtroom. It swells from dank hotel kitchens, from scorching fields and broken-down bungalows. They sit for Father Juan and they pray.

An occasional shower of Spanish small talk withers into an overcast silence. Thursday night passes to Friday morning. The jury still wrestles, the vigil still waits and Father Juan Bazalar stares straight ahead.

He is accused of the worst of betrayals. It is said that while this priest served at St. Peter's Church in Monticello, he forcibly sodomized an altar boy.

Father Juan's vigil believe the church is guilty of discrimination against Spanish-speaking clergy. "There's such a feeling in this country against immigrants," says Bazalar's brother, Roberto. "The archdiocese abandoned him. They don't do that if the priest is Irish or Italian."

Spinning another grudge is the former altar boy's entourage. They peek into the courtroom, see the vigil and turn away grimly. "Guilty as sin," said a woman in the hall. "The jury doesn't want to convict a priest, especially a Spanish one."

This is the way of justice in the '90s. The search for specific truth becomes second to the general complaints of the slighted. It's all about conspiracy.

Whether the evidence points to O.J. Simpson as a murderer is somehow irrelevant; the murder of two people becomes a discussion on racism. You cannot arrest a rock thrower in Kiryas Joel without someone screaming anti-Semitism. An Orange County judge's sentencing of a black man means to the white victim's family that "it is open season on whites."

And if a Hispanic priest is charged with sodomizing a white teen-ager, the facts are bound to get lost in dueling rages. Their hurts are real. They will not be healed in a courtroom.

The jury comes in and everyone flinches. No, it is only a readback of instructions.

Friday morning turns into afternoon. Both vigils wait. Father Bazalar stares straight ahead.

The jury asks for several readbacks of testimony. They ask for the chair where the alleged crime was committed. They ask the judge for a definition of reasonable doubt.

The jury marches back to the stuffy room. They look haggard. They are a commercial artist, a single mother, a construction worker, a former school superintendent, a freight loader, three blacks, nine whites, all Americans.

They cannot act like the audience of a Jenny Jones show. They must look hard at the evidence and the testimony. They have been screened for prejudice against the church or encounters with sexual

abuse.

Certainly, some of them complained about jury duty. But now they take it so seriously, their shoulders show the load. Late Friday, they tell the judge they have reached a verdict on four counts.

"Not guilty," says the foreman.

"Thank God," says the vigil, hugging.

"Wait until he molests a Spanish boy," mutters someone from the altar boy's entourage, as they leave in a rage. "They (the jury) wouldn't convict a priest."

Both sides believe it is a victory or defeat for something more than the evidence. Maybe. The verdict seems based only on the facts of the case. The defense aggressively chipped away at the prosecution's case until there wasn't much left.

When passions run high, an honest jury system is all that separates us from chaos. We may all feel like victims. We may all have our unconscious prejudices. We may be black or white or brown.

But if we are to survive, our first allegiance must be to the cold gray truth. Twelve citizens did their best to find it. They file out of the courtroom Friday evening into the sweet mountain air. There is justice in that.

Mike Levine's opinion column appears Wednesday, Friday and Sunday in The Times Herald-Record.

---

Any original material on these pages is copyright © BishopAccountability.org 2004. Reproduce freely with attribution.