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L. A. sex-abuse investigation a federal case

Tom Roberts | Feb. 17, 2009

Cardinal Roger Mahony (CNS)

LOS ANGELES -- A recently impaneled federal grand jury is investigating how the Los Angeles archdiocese managed accusations that dozens of priests molested hundreds of teenagers and younger children over many years. The federal investigation, first reported by The Wall Street Journal and Los Angeles Times Jan. 29, threatens to ignite a new phase in the clergy sex-abuse scandal less than two years after the archdiocese agreed to pay $660 million to more than 500 victims of clergy sexual abuse.

Whether the efforts of U.S. Attorney Thomas P. O?Brien, an appointee of former President George W. Bush, will write any new chapters of the story is at this point anyone?s guess. O?Brien?s spokesperson, Thom Mrozek, declined to acknowledge that such an investigation is even underway.

But Los Angeles Cardinal Roger Mahony confirmed the probe in a Jan. 29 radio interview. Mahony said the archdiocese received a grand jury subpoena that called for the church to provide information on 22 priests accused of abusing minors. Of the 22, said Mahony, two are dead and the rest no longer serve as priests.

In the radio interview, Mahony said he did not know if he is a target of the investigation. No high-ranking U.S. prelate has ever been criminally charged as a result of their management of sex-abuse cases. Dioceses, religious orders and their insurers have spent billions of dollars over the past decade to settle thousands of sex-abuse claims against clergy.

Mahony said it appeared the grand jury was looking into what priests were transferred where and ?whether or not all the folks ? in the parishes were notified.? He admitted that errors had been made in the past, but said that full disclosure of archdiocesan actions related to the 22 are included in the February 2004 ?Report to the People of God? available on the archdiocese?s Web site.

Mistakes in dealing with clergy predators, said Mahony, resulted largely from the belief that the perpetrators needed psychological help and counseling, not referral to law-enforcement authorities. ?We have said repeatedly that ? our understanding of this problem and the way it?s dealt with today evolved, and that in those years ago, decades ago, people didn?t realize how serious this was, and so, rather than pulling people out of ministry directly and fully, they were moved,? said Mahony.

A diocesan spokesman told NCR that the cardinal was unavailable for an interview.

Lawyers for victims and members of the Survivors Network of those Abused by Priests (SNAP) welcomed the federal probe. They contend that church officials around the country, including Los Angeles, knowingly moved dangerous predators from parish to parish or across state lines while minimizing or ignoring complaints of victims and others until the threat of legal action forced the church to settle cases.

Federal prosecutors say legal experts have wide latitude in deciding what cases to pursue and often cooperate with local law-enforcement and judicial agencies. There is considerable speculation in Los Angeles church and legal circles that the local district attorney?s office, which began investigating the archdiocese?s handling of sex-abuse cases in 2002, is providing information to the federal grand jury. The Los Angeles County district attorney?s office declined comment on the federal proceedings.

The federal grand jury was reportedly impaneled last fall. The normal duration of such a panel is up to 18 months. According to the ?Handbook for Federal Grand Jurors,? a federal panel determines ?whether there is probable cause to believe that a crime was committed and that a specific person or persons committed it.?

While interested parties wait to see where the federal probe is headed, they also await the release of documents -- some say it could be tens of thousands of pages -- from the Los Angeles archdiocese, promised as part of the 2007 settlement with victims. That process has been delayed because the original judge who was appointed to oversee the document disclosure recused himself from the case and because, say critics of the archdiocese, of objections to the process raised by church lawyers.

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