

Calls made for release of L.A. abuse papers

Tom Roberts | Feb. 17, 2009



COSTA MESA, Calif. -- William Lobdell sat in an outdoor café in Costa Mesa just days after it was revealed that a federal prosecutor was now taking his turn at investigating the sex-abuse scandal in the Los Angeles archdiocese.

Lobdell, a lean man in his late 40s with a shaved head, smiled an I-understand-this grin. He had covered the scandal for the Los Angeles Times and paid a price for it. His tale is told in his newly released *Losing My Religion: How I Lost My Faith Reporting on Religion in America -- and Found Unexpected Peace* (Collins, 2009).

The book is a complex and compelling account of his loss of faith while he was delving deeply into religion in America as a journalist. His encounter with the sex-abuse story and especially the hierarchical cover-up of abuse, at the same time he was taking classes to enter the Catholic church, played a significant role in his eventual loss of faith. What he understands now, however, as an ex-believer and an ex-*Los Angeles Times* reporter, is that the story of the Catholic clergy sex-abuse scandal in Los Angeles is far from over.

Lobdell is just one of the players in a story that has stretched on for years in the Los Angeles area without ultimate resolution. It is a fair question to ask why the feds are interested now, more than seven years since the latest phase of the scandal broke nationally, after Los Angeles settled more than 500 cases with a record payout of \$660 million. Why now that Los Angeles Cardinal Roger Mahony assures everyone repeatedly that the mistakes of the past were due to a limited knowledge of the psychology of sexual predators? Why now that the archdiocese says that controls are in place to eliminate the possibility of this sort of thing happening again, and that no priest currently active in the archdiocese has been credibly accused?

Lobdell smiles again. He doesn't have any inside information from the prosecutor's office. "I suppose they suspect there was criminal activity," he says.

If Boston was the scandal's flash point, an explosion ignited by the sudden release by a judge of some 10,000 documents from archdiocesan files that previously had been sealed, Los Angeles is a simmering pot on the

verge of boiling over. Interest here seems to be fueled by years of legal maneuvers by the archdiocese to keep documents sealed and by a small but determined segment of the plaintiff's bar dedicated to seeing the full story told, particularly through disclosure of thousands of diocesan documents still under wraps. In several days of interviews here with plaintiffs' lawyers and others who have been close to the scandal for years, it became clear that despite the massive settlements and an archdiocesan system now in place to protect against a recurrence of abuse, a deep frustration still exists among many who believe the whole story hasn't begun to be told.

According to Marci Hamilton, a victims' advocate who holds the Paul R. Verkuil Chair in Public Law at Benjamin N. Cardozo School of Law in New York, "Cardinal Mahony promised to release millions of pages of files on the abusers, the abuse and the cover-up. Survivors insisted on it as a necessary element of the settlement.

"These promises have not yet been worth the paper they were printed on," she continued in an article on FindLaw.com. "Mahony's lawyers, on behalf of their client, have been in court ever since the agreement was signed, to oppose release of each of the papers, one by one." Hamilton, a constitutional lawyer, is author of *Justice Denied: What America Must Do to Protect Its Children*.

The documents are also on the mind of Anthony DeMarco, a Beverly Hills attorney who's represented hundreds of victims during the past seven years. The process for releasing the documents has been slowed because a retired judge originally chosen to determine which documents could be released recused himself because he was serving as the head of the review board for the San Jose, Calif., diocese. The recusal reportedly caught plaintiffs and their attorneys by surprise.

DeMarco said his firm has made a commitment to seeing the documents released. He has been involved in legal proceedings to appoint a new judge to oversee the process of releasing the documents.

The documents are important, he told *NCR*, because they would provide details about "the people who allowed children to be abused by priests and systematically turned a blind eye." The same people, he said, "are still in positions of leadership; they're still making decisions."

The focus on documents is understandable given the significance that similar disclosures have played in other dioceses. In Boston, for instance, the former archbishop, Cardinal Bernard Law, insisted that the reports of priests who abused people represented isolated cases and had been adequately handled by the church. But that assessment was thoroughly undermined in early 2002 when a judge, against vehement objections on the part of church leaders, decided to release 10,000 documents, many of which contained language and directives from church leaders that contradicted their public assertions.

In another example, a Philadelphia grand jury, relying heavily on subpoenaed documents, issued a lengthy, detailed and damning report about sexual abuse in that archdiocese. The 2005 report documented a far greater level of abuse than church officials had previously acknowledged. The documents and testimony also showed that church officials knew far more about the abuse that was occurring and were far more complicit in deliberately hiding the abuse and transferring guilty priests than they had admitted before the grand jury proceedings.

Lobdell, who said he was "lied to" by a number of priests and bishops during his years covering the sex-abuse crisis, believes only a portion of the story has been told. He said release of the documents is essential to filling in the details of how the crisis was handled and what motivated leaders to transfer predator priests from one assignment to another.

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