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Bishops were warned of abusive priests

by Tom Roberts



The Servants of the Paraclete complex in Jemez Springs, N.M., in 1993 (Jeffrey D. Scott)

As early as the mid-1950s, decades before the clergy sexual-abuse crisis broke publicly across the U.S. Catholic landscape, the founder of a religious order that dealt regularly with priest sex abusers was so convinced of their inability to change that he searched for an island to purchase with the intent of using it as a place to isolate such offenders, according to documents recently obtained by *NCR*.

Fr. Gerald Fitzgerald, founder of the Servants of the Paracletes, an order established in 1947 to deal with problem priests, wrote regularly to bishops in the United States and to Vatican officials, including the pope, of his opinion that many sexual abusers in the priesthood should be laicized immediately.

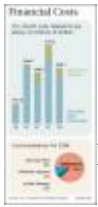
Fitzgerald was a prolific correspondent who wrote regularly of his frustration with and disdain for priests "who have seduced or attempted to seduce little boys or girls." His views are contained in letters and other correspondence that had previously been under court seal and were made available to *NCR* by a

California law firm in February.

Read **copies of letters** Fitzgerald exchanged with U.S. bishops and one pope.

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Fitzgerald's convictions appear to significantly contradict the claims of contemporary bishops that the hierarchy was unaware until recent years of the danger in shuffling priests from one parish to another and in concealing the priests' problems from those they served.



It is clear, too, in letters between Fitzgerald and a range of bishops, among bishops themselves, and between Fitzgerald and the Vatican, that the hierarchy was aware of the problem and its implications well before the problem surfaced as a national story in the mid-1980s.

Cardinal Roger Mahony of the Los Angeles archdiocese, reacting in February to a federal investigation into his handling of the crisis, said: "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."

Indeed, some psychology experts seemed to hold the position that priest offenders could be returned to ministry. Even the Paracletes, as the order developed and grew, employed experts who said that certain men could be returned to ministry under stringent conditions and with strict supervision.

The order itself ultimately was so inundated with lawsuits regarding priests who molested children while or after being treated at its facility in Jemez Springs, N.M., that it closed the facility in 1995.

Whatever discussion occurred during the 1970s and 1980s over proper treatment, however, for nearly two decades Fitzgerald spoke a rather consistent conviction about the dim prospects for returning sex abusers to ministry. Fitzgerald seemed to know almost from the start the danger such priests posed. He was adamant in his conviction that priests who sexually abused children (often the language of that era was more circumspect in naming the problem) should not be returned to ministry.

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In a 1957 letter to an unnamed archbishop, Fitzgerald said, "These men, Your Excellency, are devils and the wrath of God is upon them and if I were a bishop I would tremble when I failed to report them to Rome for involuntary layization [sic]." The letter, addressed to "Most dear Cofounder," was apparently to Archbishop Edwin V. Byrne of Santa Fe, N.M., who was considered a cofounder of the Paraclete facility at Jemez Springs and a good friend of Fitzgerald.

Later in the same letter, in language that revealed deep passion, he wrote: "It is for this class of rattlesnake I have always wished the island retreat -- but even an island is too good for these vipers of whom the

Gentle Master said it were better they had not been born -- this is an indirect way of saying damned, is it not?"

The documents were sealed at the request of the church in an earlier civil case involving Fr. Rudolph Kos of Dallas. Eleven plaintiffs won awards in the case in which Kos was accused of molesting minors over a 12-year period. He had been treated at the Paraclete facility in New Mexico. The documents were unsealed in 2007 by a court order obtained by the Beverly Hills law firm of Kiesel, Boucher & Larson, according to Anthony DeMarco, an attorney with the firm that has handled hundreds of cases for alleged victims of sexual abuse in the Los Angeles archdiocese and elsewhere.

According to Helen Zukin, another member of the firm, the documents have been used in some cases to dispute the church claim that it knew nothing about the behavior of sex abusers or the warning signs of abuse prior to the 1980s.

In a September 1952 letter to the then- bishop of Reno, Nev., Fitzgerald wrote: "I myself would be inclined to favor laicization for any priest, upon objective evidence, for tampering with the virtue of the young, my argument being, from this point onward the charity to the Mystical Body should take precedence over charity to the individual and when a man has so far fallen away from the purpose of the priesthood the very best that should be offered him is his Mass in the seclusion of a monastery. Moreover, in practice, real conversions will be found to be extremely rare. ... Hence, leaving them on duty or wandering from diocese to diocese is contributing to scandal or at least to the approximate danger of scandal." The advice was ignored and the priest was allowed to continue in ministry, and was ultimately accused of abusing numerous children, for which the church paid out huge sums in court awards.

While Fitzgerald told anyone who would listen of the futility of returning sexually abusive priests to ministry, that conviction became less absolute as the order, today headquartered in St. Louis, grew and the scope of its work became more complex. Fitzgerald, by most accounts, was deeply motivated by a sense of obligation to care for priests who were in trouble. Originally a priest of the Boston archdiocese for 12 years, he became a member of the Congregation of the Holy Cross in 1934, and started the Servants of the Paraclete in 1947. His concern at the time was primarily for priests struggling with alcoholism. As his new order matured and its ministry became known, bishops began referring priests with other maladies, particularly those who had been sexually abusive of children. The order for years was the primary source for care of priests in the United States with alcohol and sexual problems.

At times, Fitzgerald appears to have resisted taking in priests who had sexually abused youngsters. In his 1957 letter he requested concurrence from the cofounder archbishop "of what I consider a very vital decision on our part -- that for the sake of preventing scandal that might endanger the good name of Via Coeli [the name of the New Mexico facility] we will not offer hospitality to men who have seduced or attempted to seduce" children. "Experience has taught us these men are too dangerous to the children of the parish and neighborhood for us to be justified in receiving them here."

In September 1957 the bishop of Manchester, N.H., Matthew F. Brady, sought Fitzgerald's advice regarding "a problem priest," John T. Sullivan, who seemed sincerely repentant and whose difficulty "is not drink but a series of scandal-causing escapades with young girls. There is no section of the diocese in which he is not known and no pastor seems willing to accept him," Brady wrote. The "escapades" involved molestation of young girls. In at least one instance, he procured an abortion for a teenager he had impregnated. In another case, he fathered a child and provided support to the mother until she later married. The charges of molesting girls would follow him the rest of his life.

"The solution of his problem seems to be a fresh start in some diocese where he is not known. It occurred to me that you might know of some bishop who would be willing to give him that opportunity," Brady

wrote in his original letter.

Fitzgerald responded that in his judgment the "repentance and amendment" in such cases "is superficial and, if not formally at least subconsciously, is motivated by a desire to be again in a position where they can continue their wonted activity. A new diocese means only green pastures."

Fitzgerald added that the Paracletes had "adopted a definite policy not to recommend to bishops men of this character, even presuming the sincerity of their conversion. We feel that the protection of our glorious priesthood will demand, in time, the establishment of a uniform code of discipline and of penalties."

He acknowledged the degree of deference with which Catholic clergy were treated even by civil authorities. "We are amazed to find how often a man who would be behind bars if he were not a priest is entrusted with the *cura animarum* [the care of souls]," he wrote.

Sullivan apparently had already been pulled from active ministry. In October 1957, less than a month after contacting Fitzgerald, Brady wrote a response to the bishop of Burlington, Vt., among the first of more than a dozen bishops approached by Sullivan for the next five years, warning against accepting him.

Brady then wrote a letter that he sent out time after time to bishops inquiring about Sullivan after he had requested acceptance for ministry. "My conscience will not allow me to recommend him to any bishop and I feel that every inquiring bishop should know some of the circumstances that range from parenthood, through violation of the Mann Act, attempted suicide, and abortion.

"Father Fitzgerald of Via Coeli would accept him only as a permanent guest to help save his soul but with no hope of recommending him to a bishop."

According to a 2003 *Washington Post* story, Sullivan, who had bounced around from diocese to diocese for nearly 30 years, "was stripped of his faculties to serve as a priest after he kissed a 13-year-old girl in Laconia, N.H., in 1983, when he was 66. He died in 1999, never having faced a criminal charge." After his death the church paid out more than a half-million dollars in awards to Sullivan's victims, including three in Grand Rapids, Mich., and one in Amarillo, Texas, two dioceses that did not heed the warnings of the bishops in New Hampshire. The victims said they were abused when they were between 7 and 12 years old.

In April 1962, Fitzgerald wrote a five-page response to a query from the Vatican's Congregation of the Holy Office about "the tremendous problem presented by the priest who through lack of priestly self-discipline has become a problem to Mother Church." One of his recommendations was for "a more distinct teaching in the last years of the seminary of the heavy penalty involved in tampering with the innocence (or even non-innocence) of little ones."

Regarding priests who have "fallen into repeated sins ... and most especially the abuse of children, we feel strongly that such unfortunate priests should be given the alternative of a retired life within the protection of monastery walls or complete laicization."

In August of the following year, he met with newly elected Pope Paul VI to inform him about his work and problems he perceived in the priesthood. His follow-up letter contained this assessment: "Personally I am not sanguine of the return of priests to active duty who have been addicted to abnormal practices, especially sins with the young. However, the needs of the church must be taken into consideration and an activation of priests who have seemingly recovered in this field may be considered but is only recommended where careful guidance and supervision is possible. Where there is indication of incorrigibility, because of the tremendous scandal given, I would most earnestly recommend total

laicization."

But by 1963, Fitzgerald's powerful hold on the direction of the order was weakening. According to **a 1993 affidavit by Fr. Joseph McNamara**, who succeeded Fitzgerald as Servant General, the appointment of a new archbishop, James Davis, began a new era of the relationship between the order, which was a "congregation of diocesan right," and the archdiocese. Davis and Fitzgerald apparently clashed over a number of issues. Davis was far more concerned than his predecessor about the business aspects of the Santa Fe facility and demanded greater accountability. He also demanded greater involvement of medical and psychological professionals, while "Fr. Gerald [Fitzgerald] distrusted lay programs, psychologists and psychiatrists," favoring a more spiritual approach, according to McNamara.

McNamara said Fitzgerald was eventually forced from leadership by a combination of factors, not least of which was a growing disagreement with the bishop and other members of the order over the direction of the Paracletes. After 1965, said McNamara, Fitzgerald "never again resided at Via Coeli Monastery, nor did he ever regain the power he had once had."

Nor did he get his island. In 1965 Fitzgerald had put a \$5,000 deposit on an island in Barbados, near Carriacou, in the Caribbean that had a total purchase price of \$50,000. But the new bishop apparently wanted nothing to do with owning an island, and Fitzgerald, who died in 1969, was forced to sell his long-sought means for isolating priest sex offenders.

When asked for comment, a spokesman for the Paracletes referred NCR to historic accounts previously written about the order.

Tom Roberts is NCR editor at large. He can be reached at troberts@ncronline.org.

Online resources

A 1993 affidavit by **Fr. Joseph McNamara**, who succeeded Fitzgerald as Servant General.

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