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Los Angeles archbishop's rare move likely first sign of troubles to come

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LA abuse cases

Los Angeles Archbishop Jose Gomez's public rebuke of his predecessor, Cardinal Roger Mahony, at the end of January was quickly described as unprecedented.

Sharply critiquing Mahony's handling of sex abuse cases after the long-delayed release of church files made clear the cardinal had shielded abusive priests from public scrutiny and possibly law enforcement at the expense of children's safety, Gomez announced Jan. 31 that his predecessor would "no longer have any administrative or public duties" in the archdiocese.

In a hierarchical system long known for prelates reluctant to criticize one another, the public rebuke was certainly rare. Yet a question remained: What does it mean?

On one level, Gomez's move against Mahony has little practical impact. Following his initial announcement, Gomez clarified Feb. 1 that Mahony remained a bishop "in good standing," able to celebrate the sacraments and minister regularly.

Moreover, Mahony hasn't held any administrative role in the archdiocese since handing over the reins to Gomez in March 2011.

Still, on another level, the move might signal things to come.

With thousands of files -- a cache of some 12,000 in one case and some 3,000 in another -- now freely available for review, prosecutors in both Los Angeles and Santa Barbara counties have indicated they are determining whether they can pursue new criminal charges.

Prosecutors in Los Angeles are focusing on priests who were credibly accused of abuse and released from the archdiocese who have now taken up employment in wider society, a source close to the investigations who has conferred with the Los Angeles County District Attorney's Office told *NCR*.

The same prosecutors are also looking carefully at any documents having to do with the activity of a number of vicars for clergy who have served in the archdiocese, the source said.

They are thoroughly combing transcripts of every testimony Mahony has given under oath regarding his handling of sex abuse cases, going back to his time as bishop of Stockton, Calif., from 1980 to 1985, the source said.

Gomez released the cache of 12,000 documents Jan. 31 as part of a $660 million 2007 settlement between the

archdiocese and victims in some 500 clergy abuse cases. Following years of failure of exhaustive legal appeals, Gomez posted the files freely online, calling them "brutal and painful reading" in a letter also announcing the restrictions against Mahony.

Gomez also announced he had relieved Los Angeles Auxiliary Bishop Thomas Curry of his duties as regional bishop of Santa Barbara.

Curry, who had served as one of Mahony's vicars of clergy during the 1980s, had an active role in hiding priest offenders, according to some of the 3,000 files released Jan. 21 as part of a separate civil suit against the diocese.

The two sets of documents focus mainly on Mahony, Curry and other Los Angeles church officials' responses to accusations of abuse during the 1980s. Taken together, they paint a picture of the church administrators' frequently moving accused priests to shield them from prosecution, even at times suggesting they should leave the state of California as legal protection.

Sifting through the files, said Richard Sipe, a former priest and prominent author on the history of sexual abuse by priests, indicates that the end of legal issues may remain elusive for the Los Angeles archdiocese.

"It is not a clear picture, or a finished picture, from Mahony's point of view, or the diocese's point of view or the lawyers' point of view," said Sipe, who has also served as an expert witness and consultant to plaintiffs' attorneys on hundreds of abuse cases.

Anthony De Marco, one of the attorneys who fought for years for the Los Angeles archdiocese to release the cache of some 12,000 documents, called their disclosure a step in the right direction, but also said it represents a beginning and not an end.

A careful reading of those documents will show that some leaders who put children at risk "are still in place," De Marco said. The lawyer said he would like to see a thorough internal review of how abusive priests were handled in Los Angeles and elsewhere, "but I don't think the church by itself can do this. That's why the documents are important."

Regardless of whether civil investigations lead to new charges or lawsuits, it's clear that Mahony has suffered what amounts to a public shaming. A remaining question is whether the cardinal's reputation is so tarnished that he can no longer be a spokesman for key national issues for which he has long advocated.

Mahony pulled out of a Feb. 4 engagement to speak about immigration at the annual meeting of the Association of Catholic Colleges and Universities in Washington. Mahony is also to address the spring priests' assembly in Milwaukee on diversity and the social message of Jesus, but one priest there is asking Milwaukee Archbishop Jerome Listecki to replace Mahony's address with a public conference on the sex abuse crisis.

In an open letter to Gomez Feb. 1, Mahony defended his record on sex abuse, saying that during his leadership the Los Angeles archdiocese became "second to none in protecting children and youth." While Mahony admitted he made mistakes early in his tenure as archbishop, he said the problems of sexual abuse were not clearly understood at the time.

The open letter also hinted at the sting Mahony felt from Gomez's rebuke. Mahony, in effect, asked Gomez why he was acting now.

"You became our official Archbishop on March 1, 2011," Mahony wrote. "Not once over these past years did

you ever raise any questions about our policies, practices, or procedures in dealing with the problem of clergy sexual misconduct involving minors."

Two U.S. bishops expressed confusion about Gomez's move and the public row between the Los Angeles prelates.

Retired Galveston-Houston Archbishop Joseph Fiorenza, a former president of the U.S. Conference of Catholic Bishops, said he didn't understand why "these things couldn't have been worked out privately before it got public."

"The main thing I can say is it's sad," said Fiorenza, who knew Gomez personally when the future archbishop was a Houston-area priest. "Hopefully, they [Gomez and Mahony] will be able to very soon give each other a sign of peace."

Retired Bishop Donald Trautman of Erie, Pa., said he disagreed with Gomez's move, calling it "unmerited, undeserved."

Referencing Mahony's claim that church leaders and others were unaware of the serial nature of sexual abusers during the 1980s, Trautman said, "Looking backwards, [Mahony] made mistakes in handling these cases."

But, Trautman said, "Cardinal Mahony has been a good church leader, a good shepherd, and I don't think he deserves this type of public treatment."

Patrick Wall, a former Benedictine priest and a canon lawyer who has served as consultant to civil lawyers in hundreds of abuse cases, said Mahony's defense of his tenure is akin to a "fairy tale."

The documents, Wall said, show that Mahony "was made aware of dozens of priest pedophiles from the day he walked through the door in September of 1985 as the new archbishop, and he continually chose to protect the priests instead of the children."

Mahony served as archbishop of Los Angeles from 1985 to 2011 and has been a cardinal since 1991.

Jesuit Fr. Federico Lombardi, the Vatican spokesman, said the Vatican had no comment on Gomez's move. Among other things, he said, the Vatican needs time "to better understand the situation."

Meanwhile, Mahony remains a voting member of three Vatican departments, including the Prefecture for the Economic Affairs of the Holy See. Mahony will turn 77 on Feb. 27, which means that should a conclave occur in the next three years, he would also be eligible to cast a vote for the next pope.

[NCR staffers Jerry Filteau, Tom Roberts, Joshua J. McElwee and John L. Allen Jr. contributed to this report.]

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