

**DECLARATION OF
A.W.RICHARD SIPE
In the case of
JOAQUIN AQUILA-MENDEZ
VS
CARDINAL ROGER MAHONY ET. AL.**

I, A. W. Richard Sipe, declare:

1. My name is A. W. Richard Sipe (Aquinas Walter Richard Sipe).
2. I am currently involved in full-time research, writing, and consultation about the sexual behaviors and practices of Roman Catholic clergy. I conducted a 25-year ethnographic study (1960-1985) of the celibate/sexual patterns, practices, and process of Roman Catholic clergy in the United States. The results of this study were published in 1990 under the title "*A Secret World: Sexuality and the Search for Celibacy*." I have authored seven books on the subject including *Sex, Priests, and Power: the Anatomy of a Crisis* (1995) and *Sex, Priests, and Secret Codes: the Catholic Church's 2000 Year Paper Trail of Sexual Abuse* (2006) with Father Thomas Doyle, O.P., and Patrick Wall.
3. I have served as a consultant and expert witness in over 200 cases of sexual abuse by Roman Catholic clergy in the United States and Canada, usually on behalf of the plaintiffs. I have been an expert trial witness in the States of Arkansas, California, Minnesota, and Vermont. I also served as an expert witness--for the defendant-- the sentencing hearing of a priest in the federal court in Des Moines, Iowa.
4. I have been a consultant to the District Attorney's Offices for Orange County and Los Angeles County. I was also hired by the California Attorney General's office to be an expert in criminal trials of priests who had allegedly abused minors. The District Attorney of Maricopa County, Arizona, hired me to serve as an expert in a criminal case of a priest in that jurisdiction.

5. I served as a consultant to the staff for the Attorney General of Massachusetts in their preparation for the grand jury investigating the sexual abuse of children in the Roman Catholic Archdiocese of Boston (2002). I served as a consultant to, and witness before, the Philadelphia Grand Jury investigating sexual abuse and malfeasance of priests and administration in the Archdiocese of Philadelphia. The National Review Board for the Protection of Children and Young People established by the United States Conference of Catholic Bishops interviewed me in 2003 in conjunction with an investigation that is recorded in "A Report on the Crisis in the Catholic Church in the United States" (Feb. 27, 2004).

6. I attended Roman Catholic parish grade school, Catholic high school, college, and seminaries in Minnesota and Rome, Italy. I entered a Benedictine monastery--St. John's Abbey, Collegeville, Minnesota--in 1952 and was ordained a priest in 1959. From the time of ordination until 1964, I was appointed a teacher and counselor at St. Boniface High School, Cole Spring, Minnesota and I ministered on weekends saying Mass and hearing confessions at various parishes in the States of Minnesota and North Dakota. During summers I took courses toward a degree in counseling, first at St. Cloud State College [now the University of Minnesota at St. Cloud] and the College of St. Thomas [now university] in St. Paul, Minnesota.

7. My religious superior directed that I pursue training specifically to deal with the mental health problems of priests and religious. I received a grant sponsored by the National Institutes of Mental Health and the Danforth Foundation to train in counseling at the Menninger Foundation in Topeka, Kansas (1964-65). Subsequent to that training, I received a 2-year training grant from the Seton Psychiatric Institute, Baltimore, Maryland as a Resident in Counseling of Religious (1965-67). This hospital, formerly known as the Mount Hope Retreat, was founded in 1844 and administered by Catholic nuns. It was well known as one of the primary places to evaluate, care for, and confine or treat clergy and nuns with mental health and behavior problems. After my training the hospital hired me to serve on its staff as Director of Family Services. I

remained there (1967-1971) until I retired that position. Concurrent with my time at Seton, I was the Executive Director of St. John's University Institute for Mental Health.

8. In 1970, I applied for and was granted a dispensation from my vows as a monk and priest. Later I was married in a Catholic ceremony and I remain a member in good standing of the Roman Catholic Church.

9. From 1967 until 1996, I was involved in teaching in major Roman Catholic seminaries and other universities. I was appointed Assistant Professor of Pastoral Counseling at Saint John's University Seminary (1967-1970 and lectured there occasionally until 1996). I served as Lecturer in the Jesuit seminary, Woodstock in Maryland (1968-1970); Adjunct Associate Professor of Psychology at Loyola College, Baltimore (1971-75); Adjunct Professor of Pastoral Counseling at Saint Mary's Pontifical Seminary and University, Baltimore (1972-1984); and Instructor in Psychiatry (part time) at Johns Hopkins School of Medicine, Department of Psychiatry, Children and Adolescent Division (1972-1997). I served on the Board of Directors of St. Luke Institute in Maryland (1986-1988). This hospital is prominent for the number of its clergy patients.

10. I was involved in these activities and the private practice of counseling/psychotherapy until 1997 when I retired from clinical and teaching obligations. Throughout I had kept my education current with the demands of my profession. In 1980, I received a M.S. in counseling from Loyola College. I sat for and passed the national board examination for the National Academy of Certified Clinical Mental Health Counselors (1981-2000). I was the first person to be certified by The Maryland State Board of Medical Examiners as a Psychiatrist Assistant (1982-2000). I sat for and passed the board examination as a National Certified Counselor (1983-2000).

11. During my more than 40 years as a counselor/psychotherapist, teacher, or priest, I have consulted with or treated over 3,000 clients. Half of the number reported being sexually abused as a minor. One third of that number --500--alleged that a Roman Catholic priest or religious sexually abused them.

12. I have been involved with 400 priests in a consultation, evaluation, or counseling relationship. Of these, 69 have been sexually involved with a minor at least once. I have reviewed the case histories of 1,700 Roman Catholic priests and religious, including those who have abused minors or vulnerable adults. In the course of my work, I have reviewed complaints, histories, or report of over 2000 adults many who alleged a sexual relationship--most often when they were minors--with a priest or religious.

13. From 1965 to 1970, I was on the staff of Seton Psychiatric Institute of Baltimore, Maryland, a Catholic psychiatric hospital that specialized in the treatment of priests and members of religious orders. From 1986 to 1988, I served on the board of Directors of Saint Luke Institute, a 72-bed psychiatric facility established specifically for the treatment of priests and members of religious orders for sexual disorders, including pedophilia.

14. In preparation for this Declaration I have reviewed the following Documents: DEPOSITIONS OF BISHOP THOMAS CURRY (9/13/07); CARDINAL ROGER MAHONY (9/13/07); CORRESPONDANCE BETWEEN CARDINALS MAHONY AND RIVERA; DECLARATION OF CARDINAL NORBERTO RIVERA-CARRERA (3/26/07); FELONY COMPLAINTS AGAINST FR. NICOLAS AGULAR-RIVERA (4/7/88); LOS ANGELES POLICE DEPARTMENT CRIME REPORTS (1988); ET ALIA.

15. Based on the aforementioned documentation, especially the correspondence between Cardinal Rivera and Cardinal Mahony and my experience, training, research, and background I have the opinions: 1.) That there is a widely held system of Code used to communicate about sexual abuse of minors by clergy that the Catholic Church hierarchy has established among itself, elements of the psychiatric care system, and even parts of the law enforcement community. Cf. Attachment A. 2.) Specifically, members of the Catholic hierarchy are well aware that a priest's transfer from one diocese to another "*for health and family reasons,*" means that the priest has some kind of *problem*. 3.) The use of the term "homosexual" or "homosexual problem" used in reference to a Catholic

priest is a clear and well understood code for a problem of sex with minor boys (pedophilia).

16. One hospital (Seton Psychiatric Institute, Baltimore, Maryland) that treated sexual abusing priests, in my experience from 1965 to 1970, received patients from their bishops or superiors as having a *problem*. Never was *pedophilia* or *sex with minor boys* listed on the charts as the presenting problem from church officials. A number of these priests subsequently have been exposed as notorious pedophiles. (Fr. John Goegan, Fr. David Holley, Fr. Gilbert Tarlton, and others.)

17. In my work as a consultant or expert witness in cases of sexual abuse of minors by Catholic priests I have reviewed correspondence between bishops who transferred an offending priest from one diocese to another. That correspondence shows the exact or similar code used between Cardinal Rivera and Cardinal Mahony. (e.g. Fr. James Rapp was sentenced to 40 years in prison in 1999 for the abuse of 2 minor boys. Bishop Joseph L. Imesch of Joliet, Illinois and Archbishop Eusebius J. Beltran of Oklahoma City wrote to each other about the transfer; each understood that Fr. Rapp had a history of prior abuse before he was relocated, but spoke of in code.)

18. A 1998 L.A. Times article recounting the arrest warrant for Fr. Nicolas Aguilar-Rivera records that church authorities explained the priest's sudden departure from the parish as a "family emergency."

19. "Homosexual" or "homosexual problem" has been well documented in church records to indicate sex with minors. This tradition goes back to 1094 C.E. and the writing of St. Peter Damian, a cardinal and is common even in the psychiatric records of priest pedophiles.

20. Cardinal Rivera and Cardinal Mahony use the word "homosexual" with the indirect implication of sexual abuse with boys. The declaration of Cardinal Rivera when he states that he was "uncertain" that Aguilar "was fit for such (pastoral) work" was because of the homosexual problem he had in Mexico and which he explained in his March 23, 1987 letter to Cardinal Mahony.

21. Cardinal Mahony's statement that he "never" receives homosexual priests into his archdiocese can only be understood as a protest that he does not allow pedophile priests, since he must know that homosexual priests do serve under his jurisdiction.

22. Use of code words to convey sexual problems of clergy is longstanding and widely used within the Catholic Church.

23. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 21st day of September 2007 in La Jolla, California.

A handwritten signature in cursive script, reading "A. W. Richard Sipe", is written over a horizontal line.

A. W. Richard Sipe
2825 Ridgeway Row
La Jolla, CA 92037

Attachment A
Joaquin Aquila-Mendez v Card. Roger Mahony et. al.

CODE WORDS TO HIDE SEX ABUSE

A.W. Richard Sipe

*25 August 2007

If one is searching church documents for evidence of a church's prior knowledge of sexually abusing priests he will rarely find the words *pedophile, abuser, sex*, or any other direct reference to actual behavior. Even in correspondence with medical providers code words and euphemisms are used. All of the euphemistic terms or phrases used to describe a priest who is sexually abusing minors listed below were found in medical, church, or criminal records.

The longstanding knowledge of sexual abuse by priests among the hierarchy becomes decipherable as more and more church documents come to light and are examined. A Cardinal recently (2006) admitted what we have known for a long time, that "codes" are used between bishops to indicate a priest is having problems with sex. This cardinal's particular code when he sent a sex-abusing priest to the jurisdiction of another Catholic Cardinal was—he is coming for "**health and family reasons.**" He not only admitted that it was a code that any bishop or cardinal would understand, but also tried to defend his position in sending the priest who was soon arrested for sexual assault on minors in his new placement because he thought the priest was "**only homosexual.**"¹

Codes and Euphemisms in Psychiatry

The church has not been alone in handling sex abuse by Catholic bishops and priests as a hot potato and behavior that had to be disguised with alternative names to identify and record it at the same time to hide it. I know from my years in association and observation of the psychiatric community and reviewing many medical histories of priests that pedophilia (under its current and appropriate definition) was noted, but classified and treated under various monikers. Sexual activity by priests was concealed and codified especially in Catholic institutions. In my years of training and on

¹ Cardinal Norberto Rivera Carrera to Cardinal Roger Mahony

* Revised

the staff of a hospital that treated numerous priests, a noteworthy number who were in actuality pedophiles not one was given that designation as a primary diagnosis. (It is of public record that minor abusing priests Fr. John Goehgan and Fr. David Holley and dozens of others were treated at the hospital where I worked.) Priests' sexual activity was noted and subsumed under some more acceptable psychiatric and, at the time, available diagnosis.

This distortion was not entirely the fault of the treating institutions. Rarely did bishops "play it straight with the staff." Even in referring an offending priest for treatment many bishops concealed or twisted the facts to make the priest (diocese) look as good as possible. On discharge, many bishops and superiors often disregarded or twisted the recommendations of the psychiatric staff to suit their own judgment and needs.

Also, some Catholic treating institutions were compromised. They destroyed medical documents that witnessed criminal behavior and told bishops to do the same² or in line with the recommendation of Bishop John Quinn, sent documents to the office of the Apostolic Delegate in Washington, DC to seal them under diplomatic immunity.³ After 1985 at least one archdiocese hired a man specifically to "cleanse the files."⁴ Other dioceses made the same arrangements with members of their staff.⁵

From the 1920s through the 1950s **SCHIZOPHRINIC** was a commonly used designation for a priest who was involved in sex with children. Fr. Gerald Fitzgerald wrote in 1957 to a bishop who wanted to send a pedophile priest to Via Coeli, "From our long experience with characters of this type...most of these men would be clinically classified as schizophrenic."⁶ He was also convinced by that time that priests who got involved sexually with children could not be cured.

Hospital records from 1982 give the diagnosis of "paranoid schizophrenic" to a priest who had been treated twice before for "depression." He admitted a history of abusing at least five boys a year during the course of his ministry. The reason for this categorization did have logic: the conscious

² Fr. Liam Hoare to Thomas O'Brien, bishop of Phoenix, 2/23/89

³ Bishop John A. Quinn 1990 address to the Midwest Canon Law Society

⁴ Personal communication

⁵ Witnesses from NYC 1993 and San Diego 2006

⁶ Fr. Fitzgerald to Brady 9/57

decision of a priest was to be celibate. He could not be a priest if he did not promise that. Since he wanted to be a clergyman and his behavior was diametrically opposed to this desire he had to have a “split-personality.” His behavior demonstrated primarily that he was “crazy” and schizophrenia was an available diagnosis at that time. If his craziness could be controlled then he would behave appropriately, but that diagnosis was not seen as amenable to cure, just management.

Alcoholism has long been known as a problem among Catholic clergy. The lifetime incidence of alcoholism is twice as high in Catholic clergy (20 percent) than recorded in the general population. Hospital and treatment centers for priests contemplated and established since the 1930s always named alcohol abuse as one major motivation for founding these centers. Father Thomas Verner Moore, M.D. had plans drawn up for a psychiatric hospital on the campus of Catholic University with the treatment of alcoholic priests as one of the major targets.⁷ “Sister Mary Ignatia Gavin pioneered the concept of medical treatment for addiction when alcoholism was thought to result from irreversible moral failure. Gavin founded the world’s first alcohol addiction treatment center in 1939 at St. Thomas Hospital in Akron, Ohio.⁸ The first treatment center designed exclusively for the treatment of alcoholic priests was founded as Guest House, in Lake Orion, MI in 1956. But alcohol problems of priests were a factor in the founding in 1947 of St. John Vianney Hospital in Downingtown, PA—a psychiatric hospital exclusively for clergy—Via Coeli in 1948 and St. Luke Institute in 1981. But the awareness of the sexual problems hidden behind alcohol moved Guest House in the 1990s to refuse sexually addicted men entrance to their program, at the same time that the awareness of the connection between substance abuse and sex addiction motivated Via Coeli (1976) and later St. Luke’s (1985) to devise and initiate specific treatment protocols for clergy-sex-addiction.

History of the psychiatric treatment of priests with sexual problems, including abuse of minors clearly demonstrates that **ALCOHOLIC** was the name given to these men—partly because they were drinking too much and causing—as said in church circles, *admiratio populi*—scandal. But in truth, scores of the priests and bishops in this group were acting out sexually with

⁷ Benedict Neenan, *Thomas Verner Moore: Psychiatrist, Educator and Monk*, Paulist Press, Mahwah, NJ: 2000.

⁸ National Catholic Reporter, February 23, 2007.

children or adolescents. Drinking was a more benign diagnosis—less damaging to the reputation of the clergy and the church than any direct recognition of sexual involvement. It was not politically tolerable to use the word *pervert*.

The logic behind this psychiatric decision rested in the belief “if you could keep father sober, he would not act in these *sinful* ways.” Some how the idea that a person was drunk at the time of a sexual encounter rendered the sexual element more understandable and less culpable.

The psychiatric designation **DEPRESSION** is well known and common in US culture. Mental health research has estimated that 7.9 to 8.6 percent of adults will experience a major depression during their lifetime.⁹ During my years in training and on the staff of a Catholic hospital¹⁰ it was common to have a priest patient who had sexually abused minors to be diagnosed as suffering from depression. And indeed, most suffered from depressive symptoms. They had been caught. Either the police or some church authority noted the sexual behavior and had to do something about the impending scandal or danger of incarceration. The displacement, uncertainty about the future, the fear of a mental hospital setting, embracement and loss of self-esteem, conspired to make the priest or bishop feel depressed.

But in many cases the diagnosis was rendered as a cover, diminishment, or disregard of the major psychiatric element—inability to control sexual behavior toward children and adolescents. It sounded much better to say that father was in the hospital for depression (or exhaustion, another euphemism) than to admit he was caught abusing children or call him a pervert.

The logic of diagnosing depression is similar to that of calling a sex-abusing priest an alcoholic—*If we can help father feel better, enhance his self-esteem, and control his dark moods he won't do these bad things*. The excuse of alcohol has been used notable and almost laughably when public figures have been caught in embarrassing sexual misbehavior. “I was drinking,” they say. For example Congressman Michael Foley of Florida resigned his post in 2006 because of sexual advances he made to young Congressional Pages. In the aftermath he was “depressed,” entered treatment for alcohol addiction and then announced another factor often seen as

⁹ *DSM-IV*. 2005 imprint. Pp. 339-345.

¹⁰ Seton Psychiatric Hospital, Baltimore, Maryland 1965-1970.

superior to being identified as an abuser of minors—"I'm homosexual." This triad of drink, depression, and gay identity is often juggled around to find the most acceptable—or least damaging—public explanation of criminal behavior.

Sometimes the sexual element in behavior was too obvious or public to deny on admission to a psychiatric hospital. Even then the fact that a child had been abused by a priest had to be softened and covered as much as possible. The offending priest was treated for a psychiatric disorder (until 1973 when it was dropped from the DSM): he was called a **HOMOSEXUAL**.

In 1968 this psychiatric cover was somewhat understandable. The texts recorded, "*Pedophilia, or a pathological sexual interest in children is regarded as a variant of homosexuality in which the homosexual strivings are directed toward children.*" The perpetrator was considered weak and impotent, his actions reincarnations of his wishes for his mother's love, and because of insecurity and self-doubt he functioned on an immature psychosexual level.¹¹

This confusion of pedophilia (ephebophilia) and homosexuality is longstanding and detrimental to the understanding and treatment of men who are genuinely addicted to sex with minors.

The Law and the Church

Prosecution and incarceration have not been the usual path for priests and bishops who have been found to abuse minors or been discovered in other sexually compromising circumstances:

- *In 1967 a Monsignor was arrested consequent to picking up a 15 year-old hitchhiker, driving him to his (the cleric's) parent's home, forcing alcohol on him, and attempting to rape him. The boy escaped from the house (breaking some furniture in the process) and screaming, roused a neighbor. When the police came at 1:30 A.M. they found the boy confused and distraught lying on the floor of the neighbor's home. The police traced the priest's identity through his parent's home.*

¹¹ Lawrence C. Kolb, M.D., *Noyes' Modern Clinical Psychiatry*, Seventh Edition. W.B. Saunders Company, Philadelphia: 1968.

What happened?

The Police handled it: "by filing a secret information with the Court."

The Police determined: "more harm than good could be done by prosecution."

The Sheriff directed: "**present the information to Bishop Green and let him handle the matter, as has been done in the past.**"

The Police discounted the idea that the Msgr. might be an "active or latent-homosexual" but that he could be "**UNDER SEVERE STRAIN** combined with **APPARENT INTOXICATION.**" (Emphasis mine)

Church response?

Monsignor was sent to a Catholic General hospital for a 30-day check-up and the announcement was made that he was recuperating from **EXHAUSTION** from **OVER WORK.**

As a parochial dean in 1983 he destroyed written complaints about child abuse by another priest.

• He was promoted and continued in ministry until 2000.

- *In 1987 a bishop was arrested for sexual solicitation at a truck stop in Massachusetts. The arresting officer, a devout Catholic, did not discover that the man was a bishop from another state until after he had written the citation. He and his superior were concerned about the possible adverse consequences. The officer of the State Police in charge called the Catholic Chaplain and had him drive the bishop home in the neighboring state. The priest chaplain made a note of the incident. The arresting officer was troubled by his part in the incident and feared scandal. He consulted a well-placed cleric who assured him that he had not betrayed the church by doing his duty. He also made a note of the incident.*

The outcome?

All police records were destroyed by some unknown agent.

This event among others involving minor boys was kept **SECRET** by the church and the law.

Although allegations of this bishop abusing orphans while he was a seminarian are on record, they never have been made public.

Priests and bishops have been sent for *treatment* to Catholic hospitals under court order. The arrangement, informal or formal, was an agreement that the understanding judge would not press, or would suspend, charges if the cleric would submit to psychiatric treatment. Senior members of the staff of Seton testified that the practice was long-standing there.

No statement can be clearer about the cozy cooperation between the law and religion-related psychiatric centers than that of Dr. Frank Valcour, the medical director of St. Luke's Institute when he wrote on December 10, 1992—“*Because sexual behavior disorders often involve felonious acts many of our patients have been adjudicated. Some have been on probationary status others have been in treatment in lieu of jail time. Still others have been sent to treatment with us as part of a plea-bargain.*”

Father Gerald Fitzgerald reminded a bishop who sent a priest for abusing minors in 1953, that priests were spared criminal prosecution *only* because they were clerics.¹²

The Church Speaks In Latin

It may surprise some people to know that even in the early 1960s the moral theology books used in seminaries could be in English save for the chapters on the sixth and ninth commandments. They were written in Latin—entitled *De Sexto*—as if it would take a classical language scholar to know what those mysterious chapters were all about. It is but one more indication of the degree of secrecy accorded anything that had to do with sex—the forbidden, except to the *Initiate*.

Coitus was carefully defined—in Latin—so that priests would know the importance of a valid marriage—*ratum et conusmatum*: that is the couple had to take vows before a priest and they had to have complete intercourse.

When I was ordained in 1959, priests in parishes were given a pamphlet that was to be reviewed with an engaged couple ONLY the night before the wedding ceremony. The absurdity of giving marital instructions at the last minute lest the couple be tempted to sin is only secondary to presuming the competence of the instructor.

¹² Fitzgerald letter to Bishop--/ also 1963 letter to Vincent Hines bishop of Norwich, CT

Stuprum is a classic term used for centuries to indicate sodomy. Although it has a long history and was used to designate that activity with men or women it is most frequently used in church documents to indicated sex of a priest with a minor, usually a boy.¹³

In chancery documents from 1959 I found the phrase *De re turpi cum infantibus* to describe a priest in trouble. That is a pretty clear admission of the fact of child abuse, of course, meant only for clerical eyes.¹⁴

Crimen or *Delict* (literally church terms for crime) are other terms frequently found in church documents to cover a multitude of sins without having to be explicit. They are a bit more vague because they are not exclusively reserved for sexual offences against children. They can, among other things, indicate abuse against adult men or women.

Delictus contra naturam cum eodem sexu is a phrase I found in records of Via Coeli to a bishop as late as 1963. Literally it could mean homosexual activity, but it is in the record of a notorious sexual abuser of boys. In 1964 the treatment center simplified the term to **Code 3**.¹⁵

In a report about a candidate whose name had been submitted for consideration for ordination to the episcopacy the objection was that he had *Mulier* (women) problems.

Many codes can be seen in church correspondence about candidates for the priesthood where the words *Problem* and *Incident* remain undefined, but in the argot of the clerical system and future validation they were clearly related to sexual impropriety. The terms *Dishonest act* and *Moment of Hesitation* are found in the file of a priest who had sexual difficulties prior to ordination. (Miani, 07)

Bishops and Catholic Treatment Centers

¹³: Lansing, Carol, *Gender and civic authority: sexual control in a medieval Italian town*. *Journal of Social History*: 9/22/1997.

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¹⁵ Via Coeli documents re: Fr. Bissonette, 1963-1964

In 1980 the term *Adverse Homosexuality* appeared in documents that referred to a center that conducted a “spiritual and psychiatric center for the treatment of priests and religious” with this condition.¹⁶

The same physician we quoted above, Frank Valcour, the medical director of St. Luke Institute, wrote on November 4, 1992, “*Our strength is in the treatment of addictive disorders including sexual disorders. Over the past seven years we have evaluated and or treated over 300 individuals with serious sexual behavior problems including child molestation.*”¹⁷

Bishops consistently used the vaguest terms and the most developed code words when they communicated with each other and treatment facilities about a priest who was causing some concern over his sexual behavior. Often reference to sex with minors was simply stated as “father is having a **PROBLEM.**” Bishops knew what that meant. In addition to that the bishops frequently dissimulated when they referred a priest to a treating psychiatrist by posing the presenting problem as “father is depressed” or “father is drinking too much.”

From the very beginning of founding the Servants of the Paraclete Fr. Fitzgerald was faced with requests to admit priests who had some sort of sexual behavior as the presenting concern. Already in 1948 Fr. Fitzgerald said that his house (Via Coeli) was packed with alcoholic priests and declined to accept a priest who implied a ‘problem’ with children. His stated policy was to “refuse problem cases that involved abnormalities in sex.” He writes with sympathy to the priest “ who has fallen under the spell of **ABNORMAL RELATIONS.**”¹⁶

In 1957 Bishop Buddy of San Diego sent a priest to Via Coeli who had abused several minor girls with the description that he had made some **MISTAKES** that were so well known he would be ineffective in his diocese. He went on to say that if the priest learned “discretion” he could be very useful to another bishop.¹⁷

¹⁶ Missionhurst Retreat Center, Arlington, Virginia run by the Oblates of St. Francis de Sales.

¹⁷ Dr. Frank Valcour letter.

¹⁸ G.F Letter to a pastor September 27, 1948

¹⁹ Buddy to G.F. re: Fr. Franz Rubio 1957

INDISCRETION is another code word that often hides sex abuse. Bishop William Curlin of Charlotte, N.C. justified his decision to keep a priest at his assignment after he knew from the priest that abused a boy.

By 1957 Fitzgerald was experienced enough with the dynamic of child abuse that he could speak more directly about it and favored that priests who even “attempted to seduce little boys or girls” should be automatically and involuntarily laicized. He called child-abusing-priests “**DEVILS**” and “this class of **RATTLESNAKE**.” He wanted them isolated on an island preserve, “too good for these vipers.” He appealed to scripture, “it would be better they had not been born.”¹⁸ Even at this time Fitzgerald was seeking an island in the Caribbean where priest sex offenders of minors could be isolated. The Paracletes bought property on the island of

Some bishops could write to Fitzgerald with somewhat more candor by 1957, for instance the referral of Fr. John T. Sullivan from New Hampshire that listed the cause as: “*SCANDAL CAUSING ESCAPADES WITH YOUNG GIRLS.*” The fact that young women were involved made greater candor possible.¹⁹

By 1963 Fitzgerald had expanded his centers from Jemez Springs, NM, to Albuquerque, to Cheery Valley, CA, St. Louis, MO, Nevis, MN, a seminary in Vermont, a treatment center in Scotland, and a Generalate in Rome. He was asked to make a report to the Pope. By then Fitzgerald estimated that fully one third of all the priests sent to his centers were there because of problems with minors, 20 percent were there because of *AFFAIRS OF THE HEART*, (sexual involvement with women) and only 50 percent for alcoholism.

In spite of Fitzgerald’s opposition to accepting sex abusers as *GUESTS* in his facilities (priests were not called patients or clients) the demand from bishops was clear and persistent. The cover of alcoholism was evaporating to expose underlying sexual dynamics.

²⁰G.F Letter to Archbishop Edwin V. Byrne, September 18, 1957

¹⁹ Bishop Matthew Brady, Manchester NH 1957 to Gerald Fitzgerald re: Fr. John T. Sullivan who subsequently applied to 17 dioceses for work. He was accepted into another diocese and re-offended. It is interesting to note the dioceses he chose to apply for because they were the ones that had a reputation of receiving problem priests.

What amounted to a palace revolt that unseated Fitzgerald from control of the organization coincided with the departure of Archbishop Byrne who had been 'considered the co-founder of the Paracletes and the appointment of James P. Davis in 1964 to head the Santa Fe Archdiocese.

Fitzgerald's hopes to send priests who abused minors to Carriacou the Caribbean island he had purchased for that purpose were dashed when the new archbishop took matters to Rome. The Servants were ordered to sell their property on the island that they already remodeled and where 2 priests of the order were stationed.

Also, Fitzgerald's ideal of a spiritual cure was also curtailed when he was "forced" to use AA as part of a treatment modality. Psychiatry was low on his list of interventions, but as the requests for treatment increased he capitulated to staff demands for help. In addition, some bishops and superiors sent priests to the Servants on a psychiatric recommendation.

This shift in the fundamental thinking about the treatment of problem priests did not come easily. Cardinal Antoniutti, secretary of the Congregation for Religious, wrote in 1966 what was considered a mandate "to implement lay programs and place greater reliance on lay psychologists and psychiatrists."¹⁹

In 1966 the Paracletes hired a lay psychologist, Dr. John Salazar, to head up their program. This was a response to the cardinal's instruction to institute "methods of rehabilitation of the guests...striving to effect a wise selection of those mental and physical means which help the workings of grace."²⁰

In the early 1970s in the persons of Frs. Michael Foley and William Perri the Servants trained-for, developed, and instituted a special modality to diagnose and treat sexually offending priests particularly those who were involved with minors.

TROUBLESOME INVOLVEMENTS is a label that indicates sexual activity, but usually with adult women or men. A priest considered a sexual addict, had sexual activity with many women over a forty-year period including

¹⁹ Affidavit of Fr. Joseph Mc Namara, 17 November 1993.

²⁰ Cardinal Antoniutti to Fr. temple, 23 March 1966.

several long-term relationships (at least 7 women recorded, one as young as 17) fathered 4 children, visited prostitutes, etc. After several reports to his superiors of his activity that was common knowledge, his provincial told him to see a psychiatrist. The superior did not mention women or sex, only concern over “ your **FREQUENT AND LONGLASTING INVOLVEMENTS.**” The priest was given a new assignment where he was not known, but the pattern of his behavior continued for another twenty years.

Being **OVER FAMILIAR** with as vague a group as “lay people” can be found in bishops’ correspondence, or it can be more specific such as, “with boys working at the parish.” It means sexual abuse.

“Father is in an **UNCOMFORTABLE SITUATION**” or caught up in **UNACCEPTABLE BEHAVIOR PATTERNS**, or was **IMPRUDENT**, or has been involved in some **UNFORTUNATE INCIDENTS**” are all code words that indicated sexual misbehavior especially with minors in communication from bishops and superiors referring priests to treatment facilities.

As programs for sexual treatment like those of the Paracletes, St. Luke’s, Institute of Living, the University of Minnesota, etc. proliferated the bishops echoed more psychologically sophisticated terms when they sent priests for treatment. These included the codes such as **BOUNDRY VIOLATIONS, IMMATURE, ADJUSTMENT PROBLEM** or on occasion rather directly **INAPPROPRIATE ASSOCIATION WITH A MINOR.**

These terms went back and forth between treatment facilities and bishops even as the psychiatric treatment centers became more precise in recording the terms **PEDIOPHILIA** and **EPHEBOPHILIA**. Evaluations and diagnoses often times reflect a gentler and less specific term—**SEXUAL DISORDER NOS** (not otherwise specified)— that can cover concern over sexual identity, function, relationships, etc.

Bishops and Public Exposure

The media coverage of high profile abuse cases has made the reporting of clergy behavior clearer and more direct: it is not uncommon to read that the priest **ABUSED** a child or adolescent. The press frequently used the word pedophilia; sometimes imprecisely when it designates sex with an

adolescent. *TOUCHING* as well as abuse are terms often used to designate behavior that more accurately could be named rape.

It is in the legal system that the most precise description of the actual behavior of the priest is recorded. The courts seal many of these records and conceal the full horrors of them from the public. For instance, "touch" was the public code used when a priest used his semen to anoint the forehead of his 13-year-old boy victim. It was also the public report of the priest who used, what he said, was a consecrated host to touch the vagina of his child victim, telling her that this gesture was to confirm the sanctity of his sexual activity with her.

The sordid and painful experiences of victims of abuse are probably most directly related within the confines of therapeutic treatment. Also the adversarial deposition and trial for the victim in the process of suing the priest abuser and the church demands a level of clarity and precision not otherwise needed.

Public outrage has forced many bishops to make an *APOLOGY FOR THE SUFFERING OF THE VICTIM*. Rarely does it have the ring of a personal confession or regret. Frequently a victim reporting his or her experience is met with the question of *MISUNDERSTANDING* the priest's movement or intentions.

On record a few strong priests have taken the pulpit to say, "I am an alcoholic and I am going for treatment." Most often, official pronouncements of a priest's or bishop's absence for treatment declare that the person is **EXHAUSTED** or under sever strain.

As recently as 2003 (and 1994) two bishops announced that a priest was leaving the parish for reasons of a *HEALTH AND REST* or *SABBATICAL*. Both were sexual offenders.

Some priests and bishops who have been described as *OVER WORKED* or *RETIRED FOR MEDICAL REASONS* were in fact being treated for their sexual activity. Of course, the fact that some priests and bishops leave their posts because they are genuinely ill, overworked, and need to retire causes confusion and injustice.

TICKLING, HORSE PLAY or **WRESTLING** are words used to cover up sexual grooming or frank sexual activity and abuse. The most extreme example I know of occurred in the conduct of a young assistant pastor who established a sexual bond with a boy when he was 15 and 16. One of “games” the priest played with the boy while both were naked involved tying him to the bed and then sodomizing him. On one occasion the boy freed one of his legs and began flailing around. In the process he hit the wall hard enough to put a hole in it. The pastor responded to the ruckus, came into the room, and said, “You’re going to have to pay for the repair of that damage. Later when the abuse was litigated the pastor said he thought they were just horsing around.

A victim of Fr. James Porter tells a similar story about his abuse when he was in grade school. A priest of the parish walked in while Porter was sodomizing him. He simply looked and closed the door. When the boy was grown and more than one hundred of Porter’s victims came forward, he confronted the priest who witnessed the abuse. That man, now a monsignor gave a harrowing retort, “Priests are human too.” He could fool himself for time that they were just wrestling.

These words—tickling, horsing around, wrestling— that intimate playfulness and innocence have been used repeatedly by abusers and their lawyers to deny, minimize, and disarm the actual behavior even if they see it with their own eyes. Words that sanitize abuse do nothing to help heal the profound effects of abuse of minors.

Bishops have had a good deal to say about priests and bishops who abuse minors. “Pedophile clergy were **afflicted**—not sinful”²¹. Priests who abused “Had made **some errors in judgment.**”²². Everyone sins. “**Sinners deserve forgiveness.**” It (abuse) is **in the past**. The **statute of limitations** has run out. This attitude of bishops discounts the harm that abuse by clergy imposes.

²¹. Bishop Matthew Clark of Rochester, N.Y. in a 1990 statement quoted by Brooks Edgerton in the Dallas Morning News

²². Bishop Patrick Cooney of Detroit excused Fr. Gerald Shirilla to The Detroit Free Press in 2002.

***Sexual orientation and the source of sexual excitation
are separate entities.***

There are a number of myths about sexual orientation that need clarification. The Catholic Church and its use of code to describe the problems of priests have perpetuated the confusion between Homosexual Orientation and Pedophilia /sex abuse of minors. Even in its 1961 document on training candidates for the priesthood, the Vatican points to the danger of men who have homosexual tendencies.

Sexual orientation (hetero or homo) has a moderately flexible spectrum of identity including a broad range of understanding of masculinity and femininity and a permeable distinction and range when measured by behaviors—even to the extent of encompassing true bi-sexuality.

Because homosexuality is a minority orientation, people with this disposition suffer the confusion, misunderstanding, fear, attack, and prejudice accorded to every minority.

Most people who take advantage of women (including rape) are men who have a heterosexual orientation. The bulk of pornography is directed toward men who have a heterosexual orientation. Many heterosexual men have several sexual partners. Some men are promiscuous. There is no proof that heterosexual men are superior moral beings over homosexual men. Men and women of all sexual stripes can and often do behave badly. That is not due to their orientation. That is due to choice.

The line between orientations is more vague and far more permeable than many people care to admit. (College students, prisoners, and military behaviors among others can bear witness.) In all of these instances, and more, we can clearly

separate orientation from behaviors.

I know of no scientific study that asserts that men (or women) who have a homosexual orientation are less responsible or more disordered in their behavior than heterosexual people. To have any rational discourse on sexuality—generally or specifically— the discussants must meet at the twain of orientation and behavior. That is basic.