

Cardinal's deposition in sex abuse case closely watched

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STAMFORD, Conn. -- New York Cardinal Edward Egan typically answers to the pope, but will soon face questions from a lawyer who says the prominent prelate ignored disturbing psychological reports on a priest later accused of molesting an altar boy.

Egan's deposition on Jan. 27 in a civil lawsuit is a groundbreaking development in the sex scandal that has rocked the Roman Catholic Church, activists say. Egan, facing his first deposition as a cardinal, joins the other two major cardinals in Boston and Los Angeles as he faces questions under oath for his handling of priest abuse cases.

Egan has long been criticized for his handling of abuse allegations when he was bishop of the Bridgeport diocese. The cases led to multimillion dollar settlements, including one reached just as Egan was promoted to cardinal.

"It's long overdue," said Jeff Anderson, a lawyer who has represented church abuse victims around the country. "It is something that has been a secret culture for decades and centuries. It really is a peek inside that."

Boston Cardinal Bernard Law's downfall began with a deposition, Anderson said.

"That was the first time he had to answer anybody except the pope," he said.

The questioning can shed light on how the hierarchy handled abusive priests.

"It's important for Catholics to see the difference between the public face and the private face because that's what victims see," said David Clohessy, national director of the Survivors Network of those Abused by Priests. "The depositions are very illustrative, showing really the sometimes cavalier and often arrogant attitudes of the so-called princes of the church."

Egan will be questioned for a trial involving the Bridgeport diocese and the Rev. John Castaldo. Attorney Paul Slager alleges that his client, a former altar boy known in court documents as John Doe, was molested by Castaldo in the early 1990s when he was a priest at St. Teresa Church in Trumbull.

Egan defended his handling of that case and the issue in general.

"He deals with this issue effectively," said Joseph Zwilling, a spokesman for the Archdiocese of New York. "He puts the protection of children as a top priority and has done so consistently through the years."

Egan, who took over the diocese in 1988 shortly after Castaldo was ordained and assigned to the church in Trumbull, had access at the time to "disturbing psychological assessments" of Castaldo that should have led Egan to question Castaldo's fitness to serve as a priest, according to court documents filed on behalf of the altar boy.

A report in 1976 described Castaldo as "fearful of his own aggressive drives."

"It appears he equates sexuality with doing harm," according to court documents.

A second report in 1980 found Castaldo still had unresolved sexual urges. "His difficulty is that he tends to see sexuality not as a love relationship but as a hostile act," the report said.

Egan also knew that Castaldo had been dismissed from Christ the King Seminary in East Aurora, N.Y., "for erratic and rebellious behavior" and had been denied admission to another seminary because of his past troubles, according to court papers.

Slager wants to question Egan about those reports, why he retained Castaldo as a priest and why he decided to transfer Castaldo to a church in Stratford in 1992, a year after the alleged assault.

Castaldo was a spiritual adviser to Trinity Catholic High School in Stamford and a priest at St. Maurice Parish in Stamford in the late 1990s. He was removed from both posts in May 2001 after he was arrested on charges of engaging in a sexually explicit online chat with someone he believed was a 14-year-old boy.

Castaldo pleaded guilty in 2001 to a felony charge of attempted dissemination of indecent material to a minor and was sentenced to one weekend in jail and five years of probation.

In the civil suit, Castaldo gave a deposition in which he said he was dismissed from the seminary because of his complaints that as many as 15 seminarians engaged in "sordid behavior," including homosexual acts, court papers state.

Attorneys for the diocese say the psychological reports should not be admitted as evidence during the trial, arguing the information is not related to potential sexual abuse of minors.

"There was no indication whatsoever that this priest was engaging in any kind of inappropriate behavior," Zwilling said. "The cardinal looks forward to cooperating with the deposition."

Stamford Superior Court Judge Chase Rogers last month asked New York officials to enforce a subpoena ordering Egan to testify after Slager said he had repeatedly asked the Archdiocese of New York to make Egan available for a deposition.

Egan has testified when he was a bishop, including during a similar civil trial in New Haven in 1997. His testimony by videotape upset parishioners when he said he and the priests in the diocese are self-employed and not diocesan employees.

Egan's videotaped deposition is expected to be played during the trial, which starts Feb. 1. Victim's advocates are urging Egan to be forthcoming in his testimony.

"The longer bishops and cardinals hide facts and secrets the more it hurts," said Landa Mauriello-Vernon, state director of the Survivors Network of those Abused by Priests. "Thank God people aren't awed by the position any more."