

5-10-08 - Church Punishes Priests but Protects Bishops, Critics Say

By Jacqueline L. Salmon, Washington Post Staff Writer

It's getting a little uncomfortable for Catholic Bishop Carlos Sevilla these days.

Several times in recent months, the Yakima, Wash., clergyman has had to defend himself against accusations that he concealed sexual misconduct by priests and employees. In one case, a priest who had worked in the diocese was convicted of felony abuse for fondling a 14-year-old girl. In another case, Sevilla hired a former seminarian after the man was charged with viewing child pornography.

"In hindsight, the bishop realizes he could have done more" to alert parishioners to the situations, said the Rev. Robert Siler, diocese spokesman.

Doing more, a lot more, is just what Catholic activists want the church hierarchy to do about bishops who have covered up cases of sexual abuse.

Sevilla is an example of the conundrum facing the U.S. Catholic Church as it struggles anew with the sex-abuse scandal, which Pope Benedict XVI brought up during his U.S. visit last month. The pope repeatedly expressed shame and remorse for church's role in the disgrace and met with some of its victims. To the U.S. bishops, with whom the pope met in the District, he said that the scandal had sometimes been poorly handled and that it is their "God-given responsibility" to heal the wounds and restore shattered trust.

Since then, activists have launched letter-writing campaigns and petition drives to try to push the pope into taking action against bishops who they believe have moved slowly to stop predator priests.

"What is the pope going to do now? If it's nothing, then that is a terrible thing," said Terry McKiernan, president of BishopAccountability.org, based in the Boston area. "There has been no public action by the Vatican since the pope's visit."

Measures enacted by the U.S. Conference of Catholic Bishops in 2002 after the scandal first exploded onto the national scene require bishops to permanently remove any priest who has sexually abused a minor. But unless the pope takes disciplinary action, bishops such as Sevilla face only private admonitions from their peers if they move slowly, or not at all, against priests accused of abusing children.

"Action has been taken against some priests, but action hasn't been taken against U.S. bishops," McKiernan said.

"Nobody loses a day's pay," added David Clohessy, national director of the Survivors Network of Those Abused by Priests.

Sevilla is not alone, activists say. Cardinal Francis George, president of the U.S. Conference of Catholic Bishops, waited months to remove an accused parish priest in Chicago, the Rev. Daniel McCormack, who was criminally charged in 2006 and pleaded guilty to sexually abusing five boys ages 8 to 12. George has acknowledged that he failed to act soon enough in McCormack's case.

Cardinal Roger Mahony of Los Angeles, whose archdiocese last year agreed to pay \$660 million to settle legal claims with more than 500 victims, has been accused by abuse victims of moving sexually abusive priests to different parishes and of blocking efforts in court to expose them. Spokesman Tod Tamberg said Mahoney was one of the first bishops in the nation to implement policies on clergy child abuse and has moved aggressively to remove offenders from the priesthood.

Bishops say they cannot punish each other over the issue because that is solely the prerogative of the pope. In a 2002 "Statement of Episcopal Commitment," the bishops promised to apply the sexual abuse rules to

themselves and to offer each other "fraternal correction" -- making recommendations to each other, or to the Vatican, if bishops need to step down or be removed.

Sister Mary Ann Walsh, a spokeswoman for the U.S. Conference of Catholic Bishops, declined to say whether any bishops have been subject to fraternal correction. It is "brother to brother," she said. "It's not something that public announcements are made about."

But activists say the system of informal oversight does not work. They want to see the pope force bishops into retirement, suspend them or otherwise discipline them for their actions -- or inaction.

"It's not like Enron, where shareholders can get rid of their board if they're acting incorrectly," said Illinois Supreme Court Justice Anne M. Burke, who was a member of the lay board appointed by the bishops in 2002 to monitor reform efforts. Burke, along with other members of the lay board, met with then-Cardinal Joseph Ratzinger, now Pope Benedict XVI, in 2004 to complain about the conduct of some bishops.

"Until the pope takes action as regards to those folks . . . we can't really believe that anything is going to change," McKiernan said. "It's quite intolerable that bishops who are responsible [for cover-ups] are still in positions of honor, positions of responsibility, in dioceses."

In Yakima -- a rural parish in central Washington that is nearly 70 percent Hispanic -- bishop Sevilla has been scrambling to do damage control.

Last month, he apologized for hiring a former seminarian, Juan Jose González Rios, in 2003, even though Sevilla knew Gonzalez was under investigation for viewing child pornography. González, 37, who maintains his innocence, is awaiting arraignment on the child pornography charges.

Sevilla has also acknowledged that he had not alerted his flock to the case of the Rev. Jose Joaquin Estrada Arango, 42, who had worked at four churches in Yakima between 2001 and 2003, before being transferred to a nearby diocese in Oregon, where he was convicted of sexual abuse for fondling a 14-year-old girl. Estrada was deported to Colombia.

"Should I have publicized Father Estrada's conviction? Perhaps so," Sevilla said in a news release. "But I certainly didn't hide it."

In another case, in 1999, Sevilla determined that a deacon had molested a 17-year-old boy. The deacon fled to Mexico and took a job as an Episcopal priest, but Sevilla did not write the Mexican archbishop to alert him of the deacon's past until 2005. Siler, the diocese spokesman, said Sevilla assumed the archbishop had conducted a background check on the priest, who has since been permanently barred from the Episcopal priesthood.

Siler said the cases are isolated. But local activists are angry.

"Our diocese has repeatedly erred on the part of protecting offending clerics," said Robert Fontana, a former Yakima Diocese employee who now works with an activist group, Voice of the Faithful. "There is no mechanism in place to challenge the bishop's behavior except media exposure and lawsuits. We still haven't gotten beyond that. That's amazing to me."