

4-3-08 - Disgraced, defrocked . . . and protected

By WILLIAM BENDER, Philadelphia Daily News

IF YOU'RE A Philadelphia-area Catholic, you may have received a brochure in October explaining how the church has purged itself of pedophile priests and enhanced its outreach program for victims of clergy sex abuse.

"With confidence I report that currently there are no Archdiocesan priests or deacons in ministry who are known to have sexually abused a minor," Cardinal Justin Rigali wrote in the flier, mailed to every registered Catholic household in the Archdiocese of Philadelphia.

Of 60 priests who the Archdiocese believes abused children, 15 are now dead. Twenty are among the residents at the Villa St. Joseph retirement home in Delaware County, participating in a sex-offender treatment program under church supervision.

But what about the 25 others, who have been expelled from the priesthood amid allegations that they raped and molested schoolchildren?

A Daily News investigation has found that several of them are living in sunny climes such as the Jersey Shore and Florida, sometimes without their neighbors' knowledge. In some cases, these ex-priests are even collecting a church pension.

But church officials say that they can't legally disclose the priests' addresses - despite the pleas of victims and their advocates.

"They have protected their pedophiles and they haven't thought of the children first - or any other children in the future who could be harmed by these guys," said Catherine, a Philadelphia woman whose son told authorities he had been abused repeatedly in a city parish by the Rev. James J. Brzyski. She asked that her last name be withheld to protect her son's identity.

Brzyski, described as one of the Archdiocese's "most brutal abusers" in a landmark 2005 grand-jury report by the Philadelphia District Attorney's Office, was defrocked earlier that year.

The report accused him of targeting at least 17 children - possibly many more, according to one victim - with "unrelenting abuse, including fondling, oral sex and anal rape."

In the 1970s and '80s, Brzyski, then a 6-foot-5, 220-pound priest, convinced some of his victims to comply with his demands for sex by telling them that their parents knew about and approved of his actions, the report said.

Today, Catherine says of Brzyski: "I have no idea where he is."

Church officials, however, know where most of the defrocked priests are living - they just won't say.

Public records show that Brzyski's last known address is an apartment in West Hollywood, Calif., and that he also has lived in Chesapeake, Va., and Virginia Beach since leaving active ministry.

The Archdiocese will not provide Brzyski's current address, as is its policy toward all 25 defrocked priests - the priests not living at Villa St. Joseph.

"It's just not right, and if I didn't have a son who was a victim, I'd be just as outraged," said Catherine, whose son allegedly was abused by Brzyski. "I have grandchildren, and you don't know where these guys are living."

While the Catholic Church is more focused than in the past on addressing victims' needs, few safeguards are in place to prevent dozens of former Philadelphia-area priests - hundreds of priests nationwide - from preying on children in the secular world.

The Archdiocese says it informs authorities - usually the county district attorney or prosecutor - when a defrocked priest with substantiated allegations moves into their jurisdiction. The bishop of the priest's home diocese also is informed of his whereabouts to ensure that he doesn't attempt to rejoin the ministry there, said Monsignor Timothy Senior, the Archdiocese's vicar for clergy.

But the notification process does not extend to the public, or even to the priest's immediate neighbors. Nor will the Archdiocese provide an ex-priest's address upon request.

Victims' groups say giving sex offenders such privacy is dangerous. And some church officials agree.

"Kids are not safe," said the Rev. Robert Hoatson, a Catholic priest and founder of Road to Recovery, a New Jersey-based organization that assists victims of clergy sex abuse. "The church should tell people where these guys are living. Are they in Florida? Are they in Timbuktu? Where are they living? Neighbors around them should know where they are."

In recent years, the Philadelphia Archdiocese has overhauled its victim-assistance and prevention efforts, spending nearly \$1 million since January 2007 on counseling and other services. It is assisting 144 victims, and it encourages others to come forward.

"The Archdiocese is making every effort to listen carefully, in order to better understand and appreciate your experience," Rigali said in a radio message to abuse victims last October.

A divisive issue

Six years after the Catholic sex-abuse scandal broke, originating in Boston and spreading across the globe, church officials and victims' groups remain bitterly divided over the privacy rights of defrocked priests now living on their own.

Should men who allegedly spent years sexually assaulting youngsters be allowed to remain under the radar, or should their whereabouts be publicized for their neighbors' protection?

On this issue, the church is siding with its ex-priests.

"I would be publishing the address of a former employee," said Senior, in explaining the policy of not disclosing the residences of defrocked priests.

Mary Achilles, whom Rigali hired in 2006 to serve as the Archdiocese's victims' advocate, noted that most companies don't release personal information about their former workers.

"To ask something of the church that the world in general doesn't give to the public seems a little out of whack," she said.

Because they were never criminally charged and convicted, the Philadelphia area's defrocked priests are not required to register under Megan's Law, which tracks the whereabouts of convicted sex offenders.

In most cases of clergy sex abuse, the criminal statute of limitations has long expired, so the former priests can't be tried for their alleged crimes.

The Archdiocese, through its review board, has found at least some of the allegations against each of them to be credible.

A Daily News search of public records, cross-referenced with priests' birth dates and known prior addresses, shows that several priests who have been expelled from the Archdiocese may still be living in Philadelphia, its

suburbs or at the Jersey Shore. Others have addresses in Florida and elsewhere, according to public records and newspaper reports.

"Every one of them has been publicly disgraced because of what we believe that they did," Senior said in a recent interview.

Some of the defrocked priests still collect pensions, although an Archdiocese spokeswoman said yesterday that she could not immediately provide specifics.

These days, Senior said, the church immediately notifies law-enforcement authorities when allegations involving a minor are leveled against one of its priests.

A national dilemma

"It is a dilemma," said Achilles, the Archdiocese's victims' advocate.

And the dilemma - balancing priests' privacy rights with the public's desire to know - is a national one.

Efforts to create a centralized database of priests accused of sexual abuse have been stymied. Bishop Gerald Gettelfinger, of Evansville, Ind., proposed such a registry to the U.S. Conference of Catholic Bishops in 2002 - to no avail.

Teresa Kettelkamp, executive director of the conference's Office of Child and Youth Protection, said that most decisions pertaining to the privacy of defrocked priests are made at the diocesan level.

A national study, commissioned by the U.S. bishops and conducted by the John Jay College of Criminal Justice in New York City, found that allegations of sexual abuse were leveled against 4,392 Catholic priests between 1950 and 2002, or about 4 percent of all priests serving during that time.

The lack of a searchable registry, combined with the church's refusal to publicly disclose ex-priests' addresses - or even the towns in which they reside - can leave parents with no reliable way to determine whether a priest with a history of abusing children is living in their neighborhood.

The difficulty in tracking these priests is not unique to the Philadelphia area, according to Terry McKiernan, co-founder of BishopAccountability.org, a Massachusetts-based organization that archives church documents dealing with clergy sex-abuse allegations.

"It's very hard for us to determine where these priests are, and the church doesn't really help that much," McKiernan said. "It's a real problem."

The Philadelphia Archdiocese provides more information than most. Its Web site includes photographs of all priests who have been credibly accused of abusing minors, and lists their previous church assignments.

But church officials say they don't believe they can legally disclose defrocked priests' addresses under civil and canon law.

"Given the fact that they're not subject to criminal prosecution, I don't know that there's any more that we can do," Senior said.

"For those that leave [the priesthood], I don't know that you can really hold them accountable," added Achilles, the Archdiocese's victims' advocate.

Achilles, who previously served as victim advocate for the Commonwealth of Pennsylvania, emphasized that parents need to know where their children are.

"That's more important than whether or not the guy next door to you is a sex offender," she said.

Down the Shore

In February, the Archdiocese announced that the former associate director of its Confraternity of Christian Doctrine (CCD) youth program, the Rev. David C. Sicoli, had been defrocked - or, in church terms, laicized.

The Philadelphia grand-jury report had accused Sicoli of taking boys to the Jersey Shore, buying them alcohol and subjecting them to mutual masturbation and oral sex, among other acts of abuse.

The Archdiocese's review board found "multiple substantiated allegations involving a total of 11 minors" between 1977 and 2002, as Sicoli was transferred from parish to parish, the grand jury report states.

Sicoli, 59, lives on Central Avenue in Sea Isle City, N.J., across from the "Play by the Bay" children's playground and a youth soccer field.

No one answered the door at Sicoli's apartment on a recent weekday afternoon. A neighbor, James Good, said Sicoli "seems to be a loner."

"I think people should know where he lives, especially if it's across the street from a playground," said Good, 69, a retired contractor whose three young grandsons frequently visit him.

Sea Isle City has been abuzz since Sicoli was defrocked, said Paul Glynn, a public-works employee in the Cape May County town.

Glynn said that some residents think that Sicoli's privacy should be respected because he was never convicted of a crime, but others want a sign posted near the playground to notify parents who take their children there.

"Not knowing there's somebody there [accused of a sex crime] is kind of scary when the kids are out there playing on the field," Glynn said, while working at the playground.

But, he acknowledged, "there's a fine line between notification and harassment."

L.A. to Harrisburg

Senior said he understands victims' concerns about their assailants' living in relative anonymity, but added that "they're still protected under the Constitution."

In some instances, the priests are able to conceal their pasts.

For example, the Rev. Stanley M. Gana, who was accused in the grand-jury report of raping and molesting "countless boys in a succession of Philadelphia Archdiocese parishes," had been living in central Florida in 2005 and 2006 with a friend who was unaware of the grand-jury's findings, the Orlando Sentinel reported last August.

Gana's ties to Florida were revealed last year in a deposition stemming from a civil suit against the Diocese of Orlando, according to the newspaper.

Some attorneys say that a legitimate legal argument exists for not releasing priests' addresses.

"Just because the Archdiocese has substantiated it, that doesn't mean it's true," said Jon Auritt, a civil-rights lawyer in Media.

There also is no guarantee that the accused priests would have been convicted even if the statute of limitations hadn't expired, he said.

"Here you have people who have never been found guilty in a court of law, so on that basis I believe [the Archdiocese] can keep this private, fully understanding that people in the community are thinking this is absolutely no different than a Megan's Law individual," Auritt said. "There really is a significant distinction."

Yet the church's well-documented failure to report allegations to authorities in a timely fashion is what, in some cases, allowed the statute of limitations to expire.

"They aren't on a criminal registry because of the secrecy and duplicity and complicity of church officials," said David Clohessy, national director of the Survivors Network of those Abused by Priests (SNAP). "Therefore, the moral responsibility of Rigali and his colleagues is to remedy that, not exploit it."

The national debate over the privacy rights of defrocked Catholic priests is intertwined with the campaign to pass legislation in Harrisburg that would allow victims to file lawsuits for abuse that occurred decades ago. Those suits, victims say, could be useful in documenting the whereabouts of former priests.

State Rep. Lisa Bennington, D-Allegheny County, has introduced a bill to give victims of childhood sex abuse until age 50 to file suit. The current age limit for filing a civil suit is 30.

Bennington's proposal would include a temporary "window" in the civil statute of limitations, during which adult victims would be able to file lawsuits against alleged assailants and the dioceses in which they served, even if the statute had expired.

California provided a one-year window in 2003, triggering more than 500 lawsuits against the Archdiocese of Los Angeles. Last summer, that diocese reached a \$660 million settlement with the victims. Delaware passed a similar bill last year.

The Philadelphia Archdiocese opposes providing a window in the state's civil statute of limitations.

"It does nothing to prevent sexual abuse of children and it opens up the possibility of age-old lawsuits that are difficult, if not impossible, to defend and for the courts to decide fairly," Archdiocese spokeswoman Donna Farrell said.

But Catherine, whose son said that he was sexually abused as a child by a priest, said she supports such legislation. The resulting lawsuits, she said, might identify abusive priests who have slipped through the cracks - and possibly provide a paper trail to the doorsteps of defrocked priests.

"I could care less about any money, because no amount of money could repay the suffering," she said. "But it would make them reveal their addresses."