

June 7, 2007 - Mahony ordered to testify in abuse case

A judge rules the cardinal must appear in court in a case filed against a former teacher who was convicted of molesting students.

By John Spano, Los Angeles Times Staff Writer

A judge Wednesday ordered Cardinal Roger M. Mahony to testify in a lawsuit alleging that he failed to protect parishioners from a pedophile teacher, but then granted the Los Angeles cleric's request for a trial delay.

The lawsuit had been scheduled for trial Monday; Los Angeles County Superior Court Judge Haley Fromholtz agreed to a two-month delay.

Mary Grant, Western regional director of the Survivors Network of Those Abused by Priests, called the delay "a shame on the church."

"It's just another tactic used to keep the crimes covered up," she said.

The case involves Paul Kreutzer, a former Catholic teacher who is serving a prison sentence for molesting students. One person who was repeatedly sexually abused at a church in the San Fernando Valley alleged that church officials knew of Kreutzer's behavior but failed to act.

The case was seen as a bellwether; more than 500 claims have been filed against the Archdiocese of Los Angeles alleging sexual misconduct.

Trials had been scheduled each month, beginning next week with Kreutzer, through the year. Neither side would comment on the delay, citing the judge's gag order. A court spokesman later said the judge planned to lift the order.

Church lawyers had argued that requiring Mahony to testify would be unfair and violate his right of privacy. Fromholtz wrote that there was "insufficient good cause" to quash the subpoena.

Mahony submitted to a sworn deposition three years ago in the clergy cases. Previously, he had testified under oath in Stockton in a 1998 trial that ended in a \$30-million verdict against the church by the victims of former priest Oliver O'Grady.

Earlier, Fromholtz opened the door for punitive damages to punish the archdiocese for failing to protect Kreutzer's victims. Because that ruling came less than a week before trial, the defense argued that it needed additional time to prepare.

Elsewhere, large verdicts against the church in Northern California led to a settlement of all claims against eight dioceses last fall.

In San Diego earlier this year, Bishop Robert H. Brom, faced with the first trial of dozens of claims of clergy misconduct, filed for bankruptcy protection, which stopped all trials and temporarily froze all financial claims against the church.