

June 5, 2007 - ST. LOUIS (MO) Clergy abuse survivors want documents open to public scrutiny

Examiner, Betsy Taylor, AP

The Archdiocese of St. Louis is suing a law firm that handles clergy sex abuse cases, claiming it is improperly circulating confidential documents related to eight current or former priests.

At a news conference Tuesday, members of the Survivors' Network of those Abused by Priests said they were outraged by the lawsuit. SNAP members instead urged the church to embrace transparency as a necessary part of healing. The support group for abuse victims said the lawyers had done nothing wrong.

Meanwhile Tuesday, a new lawsuit was filed against a former priest in the St. Louis area, Donald "Duck" Straub, for allegedly abusing a boy in 1977.

Earlier this month, The Associated Press and other news outlets reported that parents came forward in the 1970s alleging sexual abuse by Straub, prompting a confession signed by Straub in 1978 and witnessed by Bishop John Wurm, who is now deceased. However, Straub was allowed to continue serving parishes for more than a decade after that, SNAP has said.

SNAP outreach director Barbara Dorris said the archdiocese's move to keep documents away from public scrutiny is an attempt to protect church authorities who covered up the problem or transferred offenders to other parishes.

The archdiocese filed suit May 11 against the law firm of Chackes, Carlson, Spritzer and Ghio. The firm says it has represented about 75 people in the St. Louis area in clergy abuse cases.

The archdiocese said the firm's lawyers shared personnel and medical documents with third parties, including a reporter for The St. Louis Post-Dispatch. The suit seeks to prohibit the law firm from such disclosures.

An assistant managing editor for the Post-Dispatch, Adam Goodman, noted that the newspaper is not a party in the lawsuit. However, he said the newspaper had filed a legal memo voicing concern about the possibility that the action could become prior restraint of the press.

He said the newspaper was not indicating whether it had received documents.

"The archdiocese's actions would have no impact on any decision we would make to do a story or not," he said.

Lawyer Ken Chackes said documents received from the archdiocese were obtained by court orders that did not require lawyers to maintain confidentiality, with the exception of medical records. He said settlements reached in the cases did not have confidentiality agreements.

Court filings on behalf of his law firm charge the archdiocese is "seeking to cover up the cover-up." They say abuse victims seek remedy, including public awareness of priest abuse.

"Just as public disclosure of the facts surrounding corporate scandals like those involving Enron has been deemed to help safeguard against those scandals being repeated, it is felt that public awareness of the facts and circumstances of the Catholic Church's priest abuse scandal will help protect against future priest abuse of children," said court papers filed for the firm.

A judge in St. Louis denied a motion for a temporary restraining order in the case earlier this month. Chackes said the next hearing on the matter will come later this summer.

Chackes said outside lawyers hired by the firm are seeking to depose Burke in the case, a move the archdiocese has opposed in court filings.

The archdiocese's judicial vicar, Monsignor John Shamleffer, said successful mediation relies on confidentiality of information exchanged.

"It has come to our attention that plaintiffs' lawyers deliberately released information from this process," he said.

Chackes said one of the documents in question is the 1978 statement from Straub, witnessed by the then-bishop, that "allegations made by parents of boys" during 1976 and 1977 were true.

Shamleffer said the release of the document from the Straub case was not the reason for the lawsuit. He said the archdiocese does not have a problem with the public knowing how church officials made past decisions and who made them. "I don't think we're opposed to talking about that," he said.

Instead, he said the lawsuit was filed to protect the mediation process and sexual abuse victims from having information made public, if they don't want it to be.

"They're (the Archdiocese) afraid this might keep others from coming forward," he said.

Archdiocesan officials have said Wurm did what he thought was best based on the understanding of abuse at that time. Straub was sent away for counseling and treatment. Church officials have said now they would protect society from an individual diagnosed as a sexual predator.

Chackes said the new suit is "at least the sixth lawsuit against Donald Straub."

Despite the confession, Straub remained an active priest through at least 1991. After two years in Kansas, he returned to St. Louis but was barred from performing any duties as a priest, officials have said. Straub was defrocked in 2005.

A phone message seeking comment from Straub, reported to be living in St. Louis County, was not returned.

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