

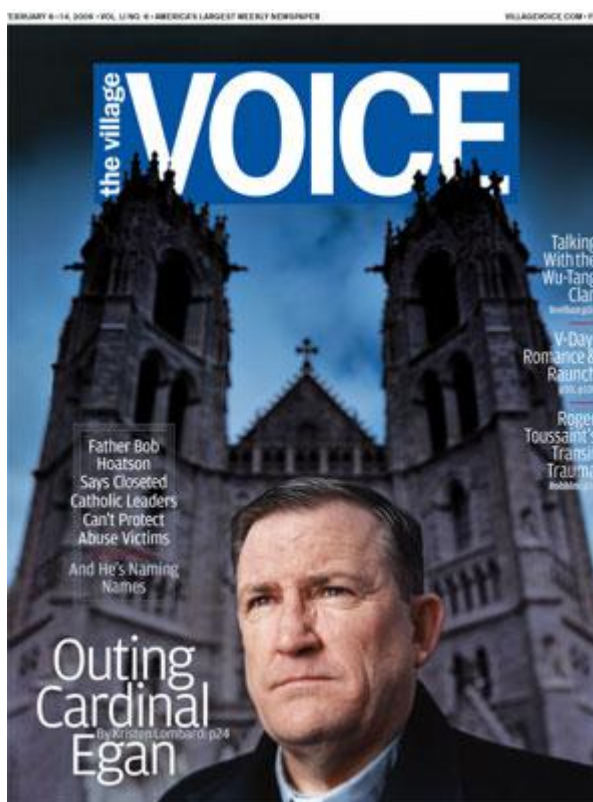
Outing Cardinal Egan

A Priest's Lawsuit Alleges the Catholic Church Is Hiding Pedophile Clergy—and Offers a Stunning Reason Why

By Kristen Lombardi
Village Voice [New York]
February 7, 2006

http://villagevoice.com/news/0606_lombardi,72095,6.html

Who knows whether Cardinal Edward Egan is sleeping soundly these days. But as head of the New York archdiocese—as the top Roman Catholic prelate in the state—he'd have every reason to be restless after the recent advent of a little-noticed lawsuit.



The suit, now pending in U.S. District Court in Manhattan, was filed on December 13 by Bob Hoatson—a 53-year-old New Jersey priest considered a stalwart ally among survivors of sexual abuse by clergy. Hoatson, the now-suspended chaplain for Catholic Charities in Newark, is suing Egan and nine other Catholic officials and institutions, claiming a pattern of "retaliation and harassment" that began after Hoatson alleged a cover-up of clergy abuse in New York and started helping victims.

But that's not all his lawsuit claims. Halfway through the 44-page [complaint](#), the priest-turned-advocate drops a bomb on the cardinal: He alleges that Egan is "actively homosexual," and that he has "personal knowledge of this." His suit names two other top Catholic clerics in the region as actively gay—Albany bishop Howard Hubbard and Newark archbishop John Myers.

It's not that Hoatson has a problem with, as the suit puts it, "consensual, adult private sexual behavior by these defendants."

No, what Hoatson claims is that, as leaders of a church requiring celibacy and condemning homosexuality, actively gay bishops are too afraid of being exposed

themselves to turn in pedophile priests. The bishops' closeted homosexuality, as the lawsuit states, "has compromised defendants' ability to supervise and control predators, and has served as a reason for the retaliation."

Hoatson realizes what he's up against. "I stopped and I thought long and hard about these allegations," he says. "It's time the church confronts this dysfunction. I couldn't do this outside of filing a lawsuit. The only thing the church responds to is negative publicity or a lawsuit. If I kept trying to do this within the system, I would be gone."

The case hinges on several statutory and legal claims. It argues that Egan and the other bishops retaliated against Hoatson for being a whistle-blower, that they intended to harm him and his career, and that they engaged in a conspiracy to do so.

Joseph Zwilling, Egan's spokesperson, denies the allegations, saying, "There is no truth to any of the statements he has made concerning Cardinal Egan." His counterpart in the Newark archdiocese, James Goodness, calls the charges "patently untrue." Goodness has released a four-page statement painting Hoatson, an archdiocesan priest in good standing until he was placed on administrative leave, as "a troubled individual" who bagged his parish duties to minister to victims.

"If anyone should have been pitied during Fr. Hoatson's parish assignments," Goodness writes in the December 14 statement, "it probably would have to be the pastors who had to put up with . . . Fr. Hoatson's 'malingering'—shirking one's duty."

Hubbard spokesperson Kenneth Goldfarb has lashed out at the priest's Manhattan lawyer, John Aretakis, a leading foe of the bishop who has represented 100 or so people claiming they were molested by Albany clergymen (see "Who Would Take a Case Like This?"). "This is not the first time Mr. Aretakis has made those allegations," Goldfarb says, pinning the charge about Hubbard's alleged homosexuality on the lawyer, not his client. "This is all orchestrated by Mr. Aretakis. He has a long history of coming up with claims that have no basis in fact."



"It's time the church confronts this dysfunction," says Father Bob Hoatson.

photo: Jay Muhlin

Two years ago, a flurry of allegations that Hubbard had sexual relationships with several men, including a teenage street hustler and three diocesan priests, rocked local churches. Hubbard, who denied the charges, called for an investigation, and his handpicked lay review board hired Mary Jo White, a respected former federal prosecutor in Manhattan. White was paid \$2.2 million for a four-month inquiry that ended up clearing Hubbard of all accusations (see "About That White Report"). Aretakis represented the two main accusers.

Aretakis puts little credence in the investigation, calling it "the most expensive piece of fiction ever produced." He denounced White for essentially investigating her own client, and he and his clients refused to cooperate.

Now that similar allegations are written in a lawsuit, the landscape has changed. Now, Aretakis has the platform to try to prove them—and he says he's prepared to do it. He says he's accumulated a list of priests and witnesses who have agreed to provide "firsthand evidence of the sexual proclivities" of Egan, Hubbard, and Myers, if subpoenaed. Some have written statements relaying "homosexual relationships with these bishops," he maintains; others know people who have had the affairs.

Aretakis declined to show the Voice any written documentation on the three

bishops, saying, "I don't want to reveal my hand at a time when I don't need to." He describes the evidence against Egan and Myers as involving consensual contact with adult men. Egan has a sporadic history of gay affairs, Aretakis claims, most of them dating back to his time as a seminarian. The lawyer alleges Myers has had gay affairs more recently, some within the past five years.

For Hubbard, it's a different story. On the condition that his clients' identities be shielded, Aretakis allowed the Voice to view videotaped interviews with two men who allege they had sex with Hubbard for money as troubled teens, one in the 1970s, one in the early 1980s. Neither was included in the White investigation, though their allegations do resemble ones it ruled unfounded.

One of the men is now in prison and couldn't be reached before press time. The other, reached through Aretakis, told the Voice independently that the details on the tape are true and that he gave the testimony of his own free will. Now married and living upstate, he has sought help from Aretakis for a potential abuse case against an Albany priest who he says also paid him for sex and introduced him to Hubbard. He says he may sue Hubbard as well.

Goldfarb, Hubbard's spokesperson, refused to let the Voice speak to the bishop about the tapes. "He's been through the mill with this and there's no reason to go through any of this again," he said. Goldfarb again cited the White report, which he said fully cleared Bishop Hubbard. Allegations like these aren't unexpected, he said—indeed, the report predicted there would be more and advised viewing them with considerable skepticism. Read the report, he said, over and over, adding, "It's as if all this preponderance of evidence is being weighed against two people who haven't filed a lawsuit and who won't identify themselves at this time."

It's people like these two men, victims who are struggling to seek justice from the Catholic Church, whom Hoatson says he's aiming to help with his lawsuit. He's asking the courts for \$5 million in damages, which he says he'd use for a 24-hour victims' ministry. The suit hinges on alleged harm done to him as a whistle-blower, but he says the real issue is that the bishops' sexual activities have compromised their ability to police predators.

"I have to tell the truth," he says. "I've gotten enough information to indicate that promiscuity on the part of these bishops is the reason they're covering up clergy abuse."

Whether his claims are true or not, Hoatson is making history. Richard Sipe, a former priest and scholar who has written about clergy sexual abuse and homosexuality in the Catholic Church, explains that it's rare for a priest to sue a bishop in court for retaliation—he has heard of only one case before this. It's

almost unthinkable for a priest to say in court records that three of his area's top bishops are actively gay.

"That's a very significant move," Sipe says. Such he-said, he-said allegations can be near impossible to prove in any case, let alone when the subjects are powerful and respected church leaders. But, he adds, "even saying it in a lawsuit will force the subject of the bishops' sexuality out in the open."

And that could spark something of a revolution. Says Sipe, "This lawsuit could be the beginning of a movement."

Hoatson comes across as an unlikely revolutionary. He looks nothing like a Catholic priest, dressed on a recent Tuesday in jeans and a sweater. The wardrobe isn't by choice. Four days after he filed the suit, Newark archdiocesan officials put him on leave. Though he still gets his \$1,700 monthly stipend, he's prohibited from presenting "himself publicly as a priest," as the December 20 decree states. He can no longer wear his collar or say Mass at the two parishes where he works.

Sitting in a coffee shop on Astor Place, he talks for hours about the way religion has colored his life—the way he'd had a "mystical experience" at 13 in which he saw himself as a priest, for instance. By 18, he'd entered the Christian Brothers order of monks, where he would teach in parochial schools for two decades. He felt so drawn to the priesthood that he enrolled in the seminary in 1994, at 42.

"I was called to the priesthood by God," he explains. "I never really understood why."

Hoatson believes he got that reason in the winter of 2002, when the clergy-abuse scandal exploded in Boston and across the country, in dioceses from California to Kentucky to New Hampshire and Iowa. Back then, Hoatson was serving as school director at Our Lady of Good Counsel Parish, in Newark, watching the crisis unfold on TV. He got word of a victim going public with charges that a Boston monsignor had molested him in the 1980s. The victim turned out to be Hoatson's former student; the official, a former school chaplain.

Hoatson called his onetime student, and soon was making regular trips from Newark to Boston, helping the man come to grips with the trauma of abuse. When other victims came forward, he hooked them up with lawyers or escorted them to confront dioceses. Word spread among survivors in New York and New Jersey about the generous priest. Hoatson has rescued victims from heroin dens; visited them in prison; collected them from shelters; paid their rent. Last year, he set up a ministry known as Rescue and Recovery International out of his Rockaway Park, Queens, apartment.

"He's like a guiding light," says Richard Regan, of Rochester, New York, who says a now-deceased Queens priest molested him and his five siblings in the '50s. Ken

Lasch, a retired priest in the Patterson, New Jersey, diocese, calls Hoatson "a locomotive—in the lead and full speed ahead." Hoatson would think nothing of letting predatory priests know he's watching, Lasch says. "Bob is that type of person. Once he sees corruption, he goes after it."

Hoatson puts it another way: "This has become a mission for me."

His work has made him wrestle with his own experiences of sexual abuse. As a 22-year-old seminarian in the Christian Brothers, he says, another brother repeatedly molested him over a four-year period. Several years later, he confided in his superior, who Hoatson says assaulted him as well. "I knew it was abuse," he says, but he never identified it as such until years later. Now, he counts himself among a handful of priests who've named their alleged abusers; his lawsuit recounts what he says is molestation he suffered at hands of the two brothers in the '70s and '80s.

What finally triggered his suit was Hoatson's fear that he'd be stopped from working with victims. On May 20, 2003, according to the lawsuit, he testified at an Albany hearing sponsored by the New York State Senate. There, he criticized Catholic bishops for shielding predatory priests. That's exactly what happened in Boston, where the release of internal church documents revealed how Cardinal Bernard Law and his underlings had shuffled pedophiles from parish to parish for decades, covering up abuse while putting children at risk. Bishops who engaged in this practice, Hoatson testified that day, had "selected evil over good, denial over admission, lying over truth-telling."

Three days later, he was relieved of his duties as Good Counsel Parish school director. Hoatson contends that Newark officials told him, as he recalls, "The archbishop [Myers] has asked that you tone down your language." They handed him a termination letter.

His suit claims that Hubbard dialed up Hoatson's boss to complain and, as it states, "had the plaintiff fired from his position." It charges that Egan and his representatives "contributed and became involved in retaliation" as well.

Church officials deny these allegations. "Cardinal Egan did not nor did anyone representing the New York archdiocese ever contact the Newark archdiocese about Father Hoatson," Zwilling says. Goldfarb says that "nothing of consequence" connects Hubbard and the Albany diocese to Hoatson's firing. "There is nothing to this," he adds.

Goodness, Myers's spokesperson, maintains that Hoatson was removed from his school post solely because he'd asked to be transferred seven months earlier. By February, the archdiocese had accepted his request. "This preceded by months any comments he would make to the New York legislature," Goodness argues.

Yet only after the Albany testimony did Hoatson receive a formal letter letting him

go, "effective immediately." It would take another eight months before Myers reassigned the priest to the Catholic Charities chaplaincy, in early 2004.

The hiatus allowed Hoatson to pursue his work with victims full-time, and he championed their cause at demonstrations, in letters to the editor, before area bishops. At Catholic Charities, he said Mass for employees and did routine parish work, all while keeping up his crusade. He says he'd managed to fulfill his ministry without much interference from the archdiocese until November 2005, when Myers issued a "precept" binding Hoatson to certain conditions. The document orders him "to cease activity in his own business"—his victims' ministry—and "to show proper reverence and obedience to his ordinary."

Goodness says the archbishop handed down the precept because "Father Hoatson had not been adhering to conditions of priesthood." The priest, he notes, resides in Queens even though he's required to live within the archdiocesan district. Hoatson says he doesn't feel safe in his assigned residence because of the alleged harassment.

He isn't the only one who believes he's being treated differently. Lasch, a lawyer trained in church canon law who has advised his fellow priest, says, "The diocese has exhibited a pattern of prejudicial treatment against Bob." He adds, "I see it as making it difficult for him to do his work."

Either way, Hoatson thinks he knows what's up. "I have to be gotten rid of because I'm trying to break the cycle of sexual disorder in the church," he explains. The disorder includes what he describes as "a promiscuous homosexual culture" perpetuating the cover-up of clergy sexual abuse. Egan, Hubbard, and Myers have hidden predatory priests because they're hiding their own gay activities, he charges.

To stop the abuse, he says, "you have to admit what is going on in the church with its homosexual culture."

What Hoatson is saying is, in many ways, nothing new. Speculation over homosexual bishops has circulated among the Catholic faithful for decades.

The topic remained largely off-limits—until the clergy-abuse crisis. That's when a loose network of victims' advocacy and church-reform groups sprang up, demanding accountability and pressing for change. Not only has this survivors' movement encouraged people to come forward and tell their stories, but it has also pushed the church to acknowledge the scale of clergy sexual abuse. To date, according to the Catholic bishops' own figures, 9,660 people nationwide since 1950 have accused 4,089 priests of molesting them. In New York City, 140 victims have named 49 abusive priests; in Albany, it's 141 and 69 respectively.

Among those who've tracked the crisis, it's not hard to find people who believe that the reason some bishops have shielded predatory priests is that they fear exposure of their own sexual activities. Anne Barrett Doyle, of BishopAccountability.org, a nonprofit archive documenting the clergy-abuse crisis, explains that this belief "is widely accepted by activists and scholars and for good reason." Recent cases have shed light on abusive bishops who, in turn, had covered up for others, she points out.

Consider, for example, the case of Bishop Thomas Dupre, of Springfield, Massachusetts. In March 2004, he abruptly retired and fled his diocese when confronted with allegations that he'd molested two men decades earlier. Until then, Dupre had been the target of fierce criticism for his handling of some 14 accused priests, many of whom held powerful positions as his underlings.

Hoatson supporters consider his lawsuit—and his outing of purportedly gay bishops—a logical step in the fight for accountability. For Catholic leaders may have acknowledged that abusive priests preyed upon children for decades, but they haven't owned up to their complicity. "Personally," says Maria Cleary, of New Jersey Voice of the Faithful, a church-reform group that has worked with Hoatson, "I feel some things just need to be said at this point. There comes a point in any change process when you have to start pushing the envelope."

Pat Serrano, of Survivors Network of Those Abused by Priests, seconds that: "You need to express yourself loudly to get the church's attention."

If victims and their allies feel more emboldened to question bishops' sexuality, it may be because the church has raised the issue all on its own. Last November, the Vatican handed down a document known as the "Congregation for Catholic Education," in which it denounced homosexuality as "intrinsically immoral" and "disordered." It suggested that homosexual men cannot be celibate, and banned formerly active gay seminarians from ordination.

Sipe, the author and scholar, says the Vatican document "has opened up the question of sexual orientation among the priesthood," including the hierarchy. And it's set the stage for a potential backlash, incensing gay priests and causing Catholic faithful to think twice about the church's hypocrisy. For years, gay Catholic groups like Dignity USA have refused to call gay bishops on it, keeping an anti-outing policy.

"There's conflict in the gay community with the idea of outing a bishop," he says. Indeed, he says one Dignity leader showed him a private list of 142 bishops who are purportedly homosexual. Some are celibate, others not. But nothing has ever come of it.

The Vatican's antics on homosexuality could change all that. Michael Mendola, of

Dignity New York, the local chapter, says gay priests have kept their mouths shut about bishops' sex lives because they "don't want to jeopardize their relationships with the dioceses." But he knows plenty of good, caring gay priests who, in his words, "are tired of all the nonsense going on in the church with homosexuality these days." They're tired of the way the Vatican has pinned blame for the clergy-abuse crisis on homosexuals. And the way far-right Catholic groups have tried to purge the church of gays.

Some may grow so tired of being persecuted that they could break the veil of silence. Once news of Hoatson's lawsuit gets out, Sipe predicts, "I think others may follow."

Whether that happens remains to be seen, of course. In the meantime, Hoatson's suit must make its way through the courts. Attorneys for Egan, Hubbard, and Myers did not return a phone call from the Voice seeking comment for this article. But letters they sent to U.S. District Court judge Paul Crotty, who is presiding over the case, suggest that they intend to try to dismiss it on legal grounds. As Daniel Alonso, the Manhattan attorney who represents Egan and the New York archdiocese, writes in his January 19 letter, "We propose to move to dismiss the complaint for failure to state a claim upon which relief can be granted."

Hoatson's suit could well get quashed before it ever reaches an open courtroom. Yet in the court of public opinion, he may already be winning. Survivors, at least, are rallying around the priest, cheering him on in listservs and Internet discussion boards, lauding him as courageous beyond belief. "Father Bob is no dummy," says Regan. "He's a priest who has a lot to lose by coming forward with this suit."

And that's just what worries some of his allies who think he's crossed a line. They fear his allegations against the bishops may backfire, undermining his credibility and, worse, his victims' ministry. One fellow clergyman doesn't doubt that the bishops have targeted Hoatson for whistle-blowing. But he can't quite wrap his mind around why the priest decided to bring the bishops' sexuality into the mix. "Once you make those claims, there is no turning back," the cleric says.

To Hoatson, though, it comes down to the truth. All he wants is to save his church, he says, and sometimes, you have to destroy something in order to rebuild it.

"I answer to a higher authority, and this is what God has asked me to do," he says. "God is calling on me to dismantle the insanity and corruption."