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Complex Struggle: Prelate's Record in Abuse Crisis

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In 2002, at the height of the sexual abuse crisis confronting the [Roman Catholic Church](#) in America, [Timothy M. Dolan](#) arrived in Milwaukee as the new archbishop, succeeding a prelate who had been caught up in scandal. To abuse victims who had felt rebuffed by the church, Archbishop Dolan — warm, down to earth — seemed a bright beam of hope.

He listened to them, wept with them and vowed to change the way the archdiocese dealt with the molestation of children by priests. But just months later, he handwrote a letter to Peter Isely, a victim and an advocate whose wife worried that the new archbishop would let him down.

“Listen to her,” Archbishop Dolan wrote. “Do not put your trust in me. You often speak eloquently about your own imperfection and sin. I’m in the same boat. I am imperfect, sinful, struggling, clumsy.”

His message was to trust only in God. And his warning proved accurate: **He would disappoint many victims.**

Days before the letter, they learned that Archbishop Dolan had instructed lawyers to seek the dismissal of five lawsuits against the church. Over the next six years, advocates would lament that he resisted many of their appeals for change, from opening church records on predatory priests to offering victims more comprehensive help.

Archbishop Dolan of Milwaukee is now Archbishop Dolan of New York, one of the church's most visible leaders. As the scandal has reignited in recent months, focusing scrutiny on bishops from Ireland to India, he has used his influential post to defend [Pope Benedict XVI](#) from criticism that he was slow to move against priests.

The archbishop himself has struggled with the crisis during the decade since it struck the church in America with startling force. While sexual abuse has not confronted him as a major issue in New York, it loomed large in Milwaukee and in his previous assignment as a bishop in St. Louis. And a close look at his record there, largely unexamined since his arrival in New York about a year ago, shows how he tried — not always successfully — to accommodate competing demands.

One of a generation of bishops who came to the job after many of their predecessors were discredited, Archbishop Dolan faced a daunting set of challenges: assuaging not only abuse

victims but also a church hierarchy worried about ruinous damages awards, parishioners angry over payments to victims, and his own priests, some perhaps falsely accused. It was a diplomatic gantlet many recent bishops have had to walk, and Archbishop Dolan trod it with particular care.

A genial conciliator, he consoled victims and created a fund to pay for compensation and counseling. He helped remove a dozen priests from ministry and disclosed the names of dozens more.

“He changed our experience in Milwaukee,” said Ralph Leese, 58, who received a financial settlement for his repeated abuse by a priest. “He made you feel like he knew where you were coming from, almost like the abuse had happened to him.”

But like bishops before him, the archbishop was also a tough defender of the church’s interests, clergy and bank balances. In Milwaukee, he worked in an unusually public and personal way to limit lawsuits and settlements. He declined to post the names of abusive priests who belonged to religious orders, though some other bishops have done so.

And in one St. Louis case, [records show](#), he swiftly took the side of a priest who then sued his accuser with the archdiocese’s help, though church officials had not made a detailed investigation of the complaint.

In interviews and written responses for this article, Archbishop Dolan, 60, has discussed his handling of the abuse crisis at length. He expressed impatience with Mr. Isely’s group — Survivors Network of Those Abused by Priests, or SNAP — which, he said, could be impossible to please. The group, he said, was one of many forces pressing him, including Catholics who wanted no acknowledgment of the sex abuse problem.

“I kept saying, ‘We need to talk about this. We need to wrestle with this,’ ” he said. “They kept saying, ‘Would you quit talking about it?’ ”

The archbishop said the church had done more than any other organization to prevent future molestation. But he also acknowledged missteps as he and other church leaders struggled to address a growing scandal.

“This is a work in progress, and we’re learning as we go along,” he said. “That’s why perhaps you’ve heard me say, go ahead and criticize. We are just like everybody else that’s dealing with this painful issue — families, Boy Scouts, every other religion.”

‘I Found Myself Convinced’

The young man on the phone was distraught. The Archdiocese of St. Louis had appealed to people molested by priests to seek healing from the church. And in March 2002, the man, Arthur P. Andreas, called the auxiliary bishop handling abuse complaints: Timothy Dolan.

Mr. Andreas told Bishop Dolan he had been abused in the late 1980s, while in his early teens and living at St. Joseph’s Home for Boys, a Catholic center for troubled youth. He said a chaplain

had groped him during three sleepovers in the clergyman's quarters. Mr. Andreas told church officials he did not want his identity revealed, yet he hoped to get the secret off his chest and spare others similar mistreatment.

Bishop Dolan suggested they meet, but Mr. Andreas suspected that the bishop might try to talk him into dropping his complaint. Instead, he hired a lawyer and later detailed his allegations in writing to church officials and in person to prosecutors.

Mr. Andreas and the bishop never would meet, and the merits of his complaint would remain unclear. But his case, and his name, would spill into public view.

Bishop Dolan had little experience handling such cases, having been named the archdiocese's point man for abuse complaints a month earlier, after about seven years in Rome. Born in St. Louis, he graduated from its local seminaries and knew many of its priests, including the accused chaplain, the Rev. Alexander R. Anderson.

Those connections, and what Bishop Dolan called "a tsunami" of abuse allegations, made the job excruciating. In an interview, he recalled "having to call these brother priests and confront them with accusations and tell them that they are out of the priesthood, and go to the parishes and tell that to the people." He helped remove eight St. Louis priests from ministry, including two who lived in a rectory with him.

This new complaint, however, posed a different challenge. In most cases, the accused priests confessed. Father Anderson protested his innocence.

Meeting with the bishop about a week after Mr. Andreas called, Father Anderson acknowledged that during summers at St. Joseph's, he had invited boys to sleep in his study because it was air-conditioned. But he firmly denied Mr. Andreas's accusations.

Bishop Dolan, who said he had checked the priest's personnel files and found no hint of a problem, was convinced on the spot.

"He said it with a lot of peace," the bishop recalled in [a 2003 deposition](#) provided to The New York Times by David Clohessy, the executive director of SNAP. "I found myself convinced because of his — his tranquillity, his serenity and, I also have to say, because of his reputation."

Bishop Dolan headed a review board — including priests, mental health professionals and other lay people — that helped evaluate abuse complaints. The same day that he met with the priest, he reviewed the allegations with three members and Archbishop Justin Rigali, and gave his opinion: Father Anderson was telling the truth.

The panel did not have investigators or subpoena power, Bishop Dolan said, but reviewed information provided by church officials and accusers. After several weeks, there was not much. The bishop said he had phoned a nun and a former nun who once worked at the boys' home. They praised the priest and described Mr. Andreas as troubled, like the other boys, and thus prone to lie.

There is no evidence that during this time the archdiocese sought witnesses to any abuse; Bishop Dolan later testified that he was unaware of an earlier abuse complaint against Father Anderson that had been withdrawn.

The archdiocese decided that Mr. Andreas's allegations were not credible, and said it passed them to the St. Louis circuit attorney in April 2002 at the urging of Father Anderson. "We thought, 'Good, they're going to look into this with a fine-tooth comb,'" Bishop Dolan recalled in his deposition.

But the criminal statute of limitations on the complaint would expire in two months, when Mr. Andreas turned 28. The church, in the meantime, went on the offensive.

Out in the Open

At weekend Masses in his parish in Eureka, Mo., a day after the archdiocese contacted prosecutors, Father Anderson announced he was the subject of a false abuse complaint. Archbishop Rigali issued [a news release](#) supporting him.

Father Anderson wanted more: [permission to sue](#) his accuser for defamation, as few priests had done. He wrote to Bishop Dolan, urging him to obtain the archbishop's consent before the statute of limitations lapsed "so it wouldn't appear that we were waiting until the young man's hands were tied before we made a move against him." Father Anderson wrote that the suit would ask Mr. Andreas to withdraw his allegations and to make a public apology, which the priest and the archdiocese could use "to our best advantage."

Bishop Dolan said in his deposition that he had cautioned Father Anderson to consider the pain a lawsuit could cause. In an internal memo, he urged Archbishop Rigali to decide before the statute ran out, saying the "suit would of course lose force" after that.

The archbishop allowed the lawsuit. Records show that the archdiocese agreed to pay the priest's legal bills but deleted a reference to it in correspondence, [concerned about public criticism](#) of its spending for accused priests.

Father Anderson filed suit in July 2002, a month after the statute expired and prosecutors said they would file no charges. News reports on the suit identified Mr. Andreas as the accuser.

Bishop Dolan was in the news, too, having been named archbishop of Milwaukee.

In his deposition the following year, he recalled that prosecutors had found the allegations against Father Anderson untrue. But Ed Postawko, then chief of the circuit attorney's child sex abuse unit, said recently that the main obstacles to pursuing the case were the limited time and the difficulty locating witnesses and persuading them to come forward. "These cases can be quite complex to investigate," he said.

Mr. Andreas countersued Father Anderson, and in 2004, both men dropped their lawsuits in a deal in which the archdiocese paid \$22,500 for Mr. Andreas's counseling — a settlement in which the church admitted no wrongdoing.

The truth in the case grew even more elusive. Litigation unearthed Mr. Andreas's childhood psychiatric records, which reported tendencies to lie and to blame others. In 2004, after Archbishop Dolan had left St. Louis, another man claimed that Father Anderson had abused him at the boys' home, but church officials found the complaint not credible.

Today, Father Anderson is pastor of St. Rose of Lima Catholic Church in De Soto, Mo. He declined to be interviewed.

Mr. Andreas, who now has a sales job, said he regretted going to the archdiocese. "I would have never made the call if I knew that they would take something so painful to me and put it on everyone's breakfast table," he said.

Archbishop Dolan said he believed he had handled the case properly, though he said in some ways he would act differently now that the nation's bishops have set new rules for dealing with complaints. He said he would not offer his opinion to a review board and would not sit on the panel, which he said must be "scrupulously independent." He said he now knew that abusive priests could be deceptive, and that he should not "trust my gut."

"One thing I've learned is, well, they can speak their piece," he said. "I cannot give this credibility. It's not up to me."

From Hugs to Hard Feelings

On an October evening in 2002, about eight weeks after arriving in Milwaukee, Archbishop Dolan and other church officials sat down with an estimated 200 people — abuse victims, their families and supporters — in an extraordinary public forum. For four hours, as they told their stories, the archbishop listened intently, wiping his eyes and leaping up to embrace the last speaker.

"We can't do business as usual," he said. "That's sledgehammer obvious to me this evening."

Many in the crowd had felt marginalized by his predecessor, Archbishop [Rembert G. Weakland](#), who had resigned after admitting that the archdiocese had paid \$450,000 to a younger man with whom he had carried on an affair.

Now, they believed they could persuade the archdiocese to make an array of changes: publicly naming predatory priests; censuring church officials who may have covered up abuse; establishing an independent system to mediate abuse claims; and paying victims adequate compensation.

Archbishop Dolan would grant some of their requests. He met with victims to offer apologies and consolation. After the nation's bishops required each diocese to appoint a coordinator of assistance to alleged victims, he went further, hiring a non-Catholic to work full time.

Yet he and SNAP, the group representing most victims, soon tangled in an escalating series of battles. One sticking point would be money.

The archbishop said that while he was ready to help victims financially, he would not tap donations that parishioners and others had intended for schools or charities, "to compensate for the sinful actions of a few in which they had no part and which they roundly condemn." He announced he was creating a \$4 million fund for settlements, to be raised by selling church property.

The archdiocese had a special immunity. The Wisconsin Supreme Court ruled in 1995 that church-and-state separation barred lawsuits against religious organizations for negligent supervision of clergy. As in most states, the statute of limitations ruled out suits for abuse that had occurred many years earlier.

Yet church officials, saying they wanted to do justice, had long been meeting with individual victims to settle complaints. Archbishop Dolan commissioned a new system using mediators independent of the church.

SNAP, in turn, pushed for a group process in which church officials and dozens of victims would mediate claims together — a move it hoped would make settlements more equitable and lend individuals more leverage. Archbishop Dolan expressed support, and in December 2003, the two sides began to discuss that and other proposals.

Three months into the talks, the advocates walked out, saying the church had made non-negotiable demands; among them, that mediation would not include the victims of priests who belonged to religious orders like the Jesuits or Capuchins, and that victims would not have final say over how to divide settlement money.

Mr. Isely said that without the ability to sue, his group had no bargaining power, but relied on the church's good faith. "And if that good faith was broken," he added, "there was literally nothing we could do."

The archbishop said he did not know why the advocates withdrew. But the archdiocese continued to negotiate with victims one by one. Under Archbishop Dolan, the independent mediation he set up reached resolution with more than 170 victims, paying about \$10.2 million for settlements, therapy and other assistance.

Results varied widely. Mike Sneesby, 53, said he was abused by a parish priest over a four-year period starting when he was 12, and received \$125,000. Gary Smith, one among scores of boys [abused by the Rev. Lawrence C. Murphy](#) at a Wisconsin school for the deaf, was not allowed into mediation because he accepted \$5,000 in 1994, two years before Archbishop Weakland began writing to the Vatican for guidance on how to move against the priest.

Patrick W. Carey, a professor of theology at Marquette University who sits on an archdiocesan panel on religious education, said the settlement fund helped limit the church's fiscal exposure. "Financially, it made a lot of sense," if only for a time, Professor Carey said. "It was an impossible situation."

The archdiocese was less protected in California, where two abusive priests it allowed to take new posts in the 1970s had molested more children. Its lawyers fought unsuccessfully to avoid liability in 10 abuse claims, and the United States Supreme Court declined to hear an appeal. Archbishop Dolan flew to Los Angeles in 2006, at the recommendation of a judge, for negotiations that resulted in a \$16.5 million settlement.

In Wisconsin, a new threat arose: a bill that would open a three-year grace period in which people could sue the church for abuse no matter how long ago it occurred. For years the church had successfully opposed similar proposals, but in 2008, a new measure had broad support. Archbishop Dolan went before a State Senate committee — a rare appearance by an American archbishop before a legislative body.

"There is no Catholic Superfund that can provide the monies this legislation will require of the church," he testified. The bill did not emerge from committee.

Today, the archdiocese faces another hurdle. The Wisconsin Supreme Court, which had limited lawsuits against the church, ruled in 2007 that the archdiocese could be sued for fraud by plaintiffs claiming that it had placed abusive priests in new parishes without alerting parishioners. The archdiocese says it now faces 12 fraud suits in that state.

In New York, Archbishop Dolan has kept a much lower profile on sexual abuse. When a bill similar to Wisconsin's surfaced in the State Legislature last year, other bishops led the opposition. The archbishop said the policies he inherited at the archdiocese, which has not had a mediation program, seemed sufficient. He has faced few calls for change from victims, though SNAP members traveled from Milwaukee to New York to protest his appointment.

The archbishop said he had come to regret his early overtures to the group.

At one parish visit in Milwaukee, he recalled, "a SNAP member spat in my face and yelled that he would not rest until there was a 'going out of business' sign in front of every Catholic parish, church, school and outreach center."

He added, "That's when I knew I should have listened to those who told me that working with them would not be helpful."

Mr. Isely, the Midwest director of SNAP, said he was not aware of the incident, but if a member had acted that way, the group would apologize to the archbishop.

Many victims say their own persistence prompted the archbishop to make many of the changes that he did. Amy Peterson, whom he hired to coordinate assistance to victims, agreed. "I credit

the survivors for the changes within the archdiocese,” said Ms. Peterson, who still holds the job. “Not the archdiocese alone.”

Naming Names

Even after talks with SNAP fell apart, Archbishop Dolan moved ahead on one of its priorities. In July 2004, he released the names of predatory priests in Milwaukee. [The list](#), still posted online, names 43, living and dead. Only two dozen of the nation’s 195 dioceses have done so, according to the group [BishopAccountability.org](#).

The archbishop recalled that the decision to make the names public was “very difficult” because many Catholics advised against it. “In retrospect,” he said, “I’m glad I did.”

But he has not done the same in New York, where the archdiocese has published each name in its newspaper once, when a priest is removed from ministry. In Milwaukee, many victims say he acted only after public pressure from them, the governor, senior state lawmakers and some members of his own community advisory board on sex abuse.

The list itself, they add, is incomplete. It includes only archdiocesan priests and omits those who belong to religious orders, though the latter constitute more than half the 704 priests in the archdiocese. SNAP says 26 religious-order priests in the archdiocese have abused children, but their orders have not identified them publicly.

Like most dioceses, Milwaukee has extensive ties to religious-order priests. Those who work in parishes need an appointment by the archbishop. The archdiocese sends its seminarians for their academic requirements to a theology school run by the Priests of the Sacred Heart. One of its two auxiliary bishops is a Conventual Franciscan.

Yet, under a longtime policy, the archdiocese does not investigate abuse allegations against such priests, but refers them to the leaders of their orders. By law, it forwards complaints to the authorities.

Archbishop Dolan has said church law bars him from publicly identifying religious-order priests who have abused children.

In interviews, a half-dozen canon law experts — including Msgr. Thomas J. Green, a professor at Catholic University — said the law did not specifically address the release of names.

Fourteen dioceses, including Baltimore and Los Angeles, that have listed abusive priests have included members of religious orders, according to [BishopAccountability.org](#). Many, like the [Diocese of Springfield, Mass.](#), have investigated allegations against such priests and helped pay settlements.

Baltimore’s list includes a religious-order priest, the Rev. Dennis Pecore, who abused a child there in the 1970s before he was transferred to Milwaukee, where he was twice convicted of

sexual offenses against children. The Milwaukee archdiocese joined with Father Pecore's religious order, the Salvatorians, to settle with a victim. Yet neither has posted his name.

Church leaders in Baltimore and elsewhere said there were good reasons for listing every offender.

"It doesn't seem appropriate just to do diocesan priests," said Bishop Gerald F. Kicanas of Tucson, the vice president of the United States Conference of Catholic Bishops. "Our goal is to demonstrate to the person harmed that the church understood their pain and the harm that had been done to them, and to get as many victims as possible to come forward."

Maryann Clesceri, the executive director of a Milwaukee center that serves sexual assault victims, said she and some fellow members of the archdiocese's community advisory board encouraged Archbishop Dolan to list every abuser because "to maintain the silence is to mirror what the perpetrators want."

"Some of us then said that if the religious orders did not release the names, those orders should not be allowed in the archdiocese," she added.

The archbishop said he had encouraged the religious orders to list the names. "They chose not to," he said. "I regretted their decision."

Jack Begg, Alain Delaqu erie and Toby Lyles contributed reporting.