

THOMAS P. DOYLE, J.C.D., C.A.D.C.

9700 WOODLAND GLEN COURT, VIENNA, VIRGINIA 22182

September 8, 2009

The Honorable Ronald M. George, Chief Justice
California Supreme Court
350 McAllister Street
San Francisco, CA 94102

**Re: *Quarry v The Roman Catholic Bishop of Oakland*
*Case Number S171382***

Letter from Hennigan, Bennett and Dorman, April 21, 2009

Dear Justice George,

I very recently had the opportunity to read the above-cited letter, signed by Lee Potts, apparently of the firm of Hennigan, Bennett and Dorman. I enclose a copy of this letter for your reference.

I am writing in reference to certain statements in the letter which are factually incorrect and others that are phrased in such a way so as to drastically distort the truth of the matter. This letter and the case it refers to are grounded in the sexual abuse of minors by Roman Catholic clergy. My interest in this matter is grounded in the fact that I am a Catholic priest and a Canon lawyer. I have served as a pastoral minister and counselor to victims of Catholic clergy sexual abuse throughout the United States for 25 years. I have also served as a consultant and expert witness in several hundred civil and criminal legal actions in secular courts throughout this country. In particular, I have been a consultant and expert witness in many Catholic clergy sexual abuse cases throughout the State of California since 2002. I have had extensive contact with the victims, with their families, their counselors and their attorneys.

The first statement I wish to address as being untrue is in reference to the legislation passed which allowed time-barred claims. The author of the letter says "*In California, 'sworn enemies of the Catholic Church' helped draft and secure passage of legislation to revive otherwise time-barred claims against employers of abusers. Although the statute was worded in neutral terms, the target of the legislation in floor debates and committee reports was always the Roman Catholic Church.*"

This statement is completely erroneous. Those who worked for the passage of the legislation in question were hardly "*sworn enemies of the Catholic Church.*" The proponents of the legislation included persons, attorneys and non-attorneys, who had extensive experience dealing with the victims of sexual abuse. The perpetrators were clergy and lay persons. One of the strongest motivating factors in urging the legislation was and remains the clinically

demonstrated fact that the vast majority of sexual abuse victims are psychologically unable to publicly disclose their abuse and consequently seek any form of help including judicial relief, for periods of time that generally run between 20 and 30 years.

The push for new legislation was no doubt influenced by the state-wide revelation that hundreds of Catholic clerics had sexually abused thousands of minors over the years and that these abusers had, in most cases, been sheltered by their bishops. Exposing the existence of widespread criminal behavior by Catholic priests is certainly not evidence that those who demand accountability and justice are “*sworn enemies of the Catholic Church.*”

In practice the official Church spokespersons, both clerical and lay, habitually try to label any criticism of clerics or Church behavior as “anti-Catholic” or “Catholic bashing.” This is nothing more than a crude attempt to shift the blame for wrong-doing or criminal behavior from the perpetrators to the victims. In the 25 years that I have been directly involved in this issue I have seen Church officials and their attorneys defame, slander, devalue and threaten victims, victims’ families, their attorneys, their supporters and those who have advocated for them. All of this was done in the name of “defending the Church.”

The target of floor debates was not “*always the Catholic Church.*” This statement grossly distorts the truth. The reality in 2002 was that several hundred Catholic clergy perpetrators had been uncovered along with clear evidence of systematic cover-up by Catholic cardinals, archbishops and bishops. The Catholic Church was the most visible offender but certainly not a target of unjust criticism.

The letter describes the numbers of cases reported as a result of the legislative change as if this were proof of a campaign to defame and bankrupt the Catholic Church. The fact is that over 800 cases were surfaced in which Catholic clergy were involved. The investigation into these cases revealed that in nearly every case sufficient evidence was available to proceed. The numbers speak for themselves. There were many cases because there had been an astounding number of clergy sexual abusers. The courts only responded to what was already in existence. The victims did not make up stories and their attorneys did not make up fictitious cases.

The fourth page contains a statement about media attention: “*That pressure is necessarily exacerbated as the number of cases reaches into the hundreds and the Defendants are relentlessly held up to public scorn, ridicule and contempt by mass media.*” This is an overly histrionic dramatization of the facts. The Catholic Church and its clerics and bishops are not above the law. The high degree of trust demanded by them and placed in them is viciously betrayed by sexual abuse. The bishops appear to want the media to portray them as victims. Any scorn, ridicule or contempt is the direct result of the harsh reality of the widespread nature of clergy sexual abuse.

The Church’s attorneys have reaped vast sums by using every tactic available and conjuring up others that had been otherwise unknown to create an endless series of barriers and delaying tactics that have succeeded in prolonging the legal process to outrageous lengths. The victims are the only ones who have suffered through this by being subjected to a seemingly endless process of mental and emotional torture.

The objections of the Catholic cardinals, archbishops and bishops, expressed by their

attorneys, are based on their fundamental but totally erroneous belief that they are somehow above the laws of the State of California. This arrogant and unrealistic attitude has apparently blinded them to the essential fact of what this entire phenomenon is all about. It is not about money, or the image of the hierarchy or the power of bishops. *It is about thousands of innocent, vulnerable children whose physical, emotional and spiritual lives have been savagely devastated by Catholic priests and bishops and their rightful search for compassion and justice.*

Sincerely,

Rev. Thomas P. Doyle, J.C.D., C.A.D.C.