

BISHOP FINN---THE REST OF THE STORY

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The Vatican's sterile announcement of Bishop Robert Finn's resignation was a typical but unsuccessful attempt by the Holy See to sanitize the harsh reality of a failed bishop. It was a removal disguised as a resignation. The absolute need for accountability of bishops would have been far better served had Finn been publicly removed rather than offered the thin camouflage of resignation.

The reason for his resignation in the oblique canonical language of the announcement, was his inability to continue to fulfill his office due to "another serious reason." (canon 401.2). Much of the media focus was on Finn's 2011 conviction of failure to report Shawn Ratigan, one of the KC priests, who had child abuse images on his laptop. There's a lot more to it than that. Whether Finn was an overall effective leader was the main point looked at by Archbishop Prendergast, the Vatican investigator. One of his worst failures as a leader was the disastrous way he handled clergy sex abuse cases. This is the other chapter of the story.

Between 2005 the year Finn was appointed, and 2015, there have been at least 94 cases filed against the diocese. Some of these involved serious sexual abuse that goes back decades, abuse that was covered up and mishandled by Finn's predecessors. In many cases Finn was not part of the cover up because it was all out in the open by the time he arrived. His failure, and the extent cannot be understated, was in the way he responded to the victims who resorted to the civil courts. And, as an aside, the main reason most victims have gone to the civil courts is because they have been denied any justice, support or deserved compensation by the Church's administration.

Finn pretty much ignored victims. It is known that he met with two and possibly a couple more, but not to extend pastoral care. It was all part of the legal process. From all sources queried, there is no evidence that he ever reached out as a caring shepherd to any of the persons whose lives had been ravaged by the KC priests.

He did his dirty work through his lawyers. Although some bishops, when asked about the toxic antics of their attorneys, try to dodge the issue by claiming it was the lawyers' and not them, the cold fact is that the bishop hires the lawyers, sees that they get paid, and approves their strategies. Unlike the victims' attorneys who are paid on a contingency basis the Church's lawyers are paid by the hour whether they win or lose. The lawyers for the Kansas City diocese were paid a lot under Finn's reign.

The diocese reported that Finn's defense in his own court action, cost 1.6 million. One confidential and completely reliable source said the actual amount was triple that. That's a payout of 4.8 million for a case that was a loser to start with.

Then we come to the long, ponderous journey of some of the abuse cases through the legal system. The victims' attorneys, basically one firm, were faced with a constant barrage of motions, deposition notices and other legal roadblocks to prolong the inevitable. The only winners were the lawyers and the major losers were the lay people of the diocese from whose donation the lawyers were paid.

The legal costs to the diocese are in the area of 16 million dollars. Included in this amount is a fine of 1.1 million imposed by the court because the bishop had failed to honor some of the terms of one of the settlements. He and consequently the diocese, had agreed to do certain things which they intentionally failed to do. The people of the diocese paid for it!

I was an expert witness in some of the civil cases. At the end of some of my reports in the section of expert opinions, I stated "*The diocese has continued to re-victimize the victims and to harass their families by means of a protracted legal process.*" Ironically the defense lawyers never challenged me on this during my seemingly endless deposition.

The harassment came in a number of forms. I was deposed in one case, a case of wrongful death brought by the parents of a 14-year-old boy who had committed suicide after being sexually abused by Msgr.

Thomas O'Brien. In that case the defense lawyers took 200 depositions and filed approximately 2000 motions, many of them motions for dismissal. This was an incredible waste of money and time especially since the diocese settled the case for over two million dollars.

One of Finn's staunchest defenders has been Bill Donohue of the so-called Catholic League for Civil Rights. Donohue held a rally in Kansas City in defense of Finn in 2011. This was when Finn was on trial for failure to report possession of child abuse images by Ratigan. Donohue proclaimed, "there was no complainant and no violation of law." For his non-violation Ratigan was sentenced to fifty years in prison. A month later he attacked Jon David Couzens, one of Msgr. Tom O'Brien's victims. Couzens brought a suit against the diocese that ended in a settlement. Donohue called it a "soap opera yarn" and branded Jon David not only a liar but said he had been implicated in a "drug-related murder." One of the victims in this "soap opera yarn" was a young boy who took his own life at age 14 after being sexually assaulted by O'Brien. Imagine how his parents felt when they saw their son's abuse referred to in such derisive and dishonest terms.

Jon David sued Donohue for defamation. The case was dismissed not, as Donohue erroneously reported in a recent news release, because it was "bogus." It was dismissed because it was filed in the wrong state so the reason had nothing to do with the substance. But then accuracy and facts have never been a barrier to Donohue's rantings.

Donohue's credibility is close to zero so ordinarily I would not waste a sentence on him. However many people make the egregious mistake of thinking he speaks for the Catholic Church. His regular ravings against the victims of clergy sex abuse may be dismissed as such by most people but they are deeply hurtful to the victims and their families who were suffering enough without having Donohue spew his venom. Bishop Finn could have stopped it but he didn't. He had time to denounce the National Catholic Reporter in 2013 because he thought they undermine official Church teaching. He could have done the same with the Catholic League, whose statements often defy basic Christian decency and charity.

Another sad chapter in the Kansas City leadership vacuum was Bishop Finn's unsuccessful campaign to close down SNAP, the world's oldest and largest survivor support organization. He did this in cahoots with Cardinal Ray Burke of St. Louis. They had their lawyers try to force SNAP to disclose confidential communications between its leaders and victims. SNAP had to defend itself in the legal arena and this was costly. The lawyers' game plan was to accomplish what the bishops hoped for, namely the hastening of SNAP's demise by draining its resources through useless litigation. SNAP had no connection with either of the cases used as launch pads for this legal maneuver but that didn't matter. SNAP is a threat to the bishops so it had to be snuffed out. The outcome: Finn and Burke have both been sidelined by the pope and SNAP is still standing. So, who was on solid ground in that dispute?

Bishop Finn had to go, not because he is a conservative who tried to take the diocese backwards in time but because he either forgot or never fully realized that when the Christ referred to "*the least of my brothers*" he was referring to those most debased and rejected and in the Church of Kansas City the "*least*" were those who needed Christ's love the most, the persons violated by the Church's own priests.

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