

# Accusations increase in priest sex abuse case

Fifth allegation  
filed against the  
late Rev. Kelly

By **MELISSA EVANS**  
NEWS-PRESS STAFF WRITER

A fifth allegation of sexual abuse has been filed against the Roman Catholic Church over the actions of the late Rev. Matthew Kelly, a former Santa Barbara priest who served at Our Lady of Guadalupe from the 1940s to the 1970s.

The victim, identified in court papers only as John Doe 5, recalled being abused 40 years ago only after reading a newspaper report mentioning the Rev. Kelly last year, said his attorney, Tim Hale of Santa Barbara-based Nye, Peabody & Sterling.

The newest lawsuit seeks unspecified damages and attorneys' fees and will be added to the roughly 560 civil cases of priest abuse that have been filed against the Archdiocese of Los Angeles, which oversees parishes and schools in Santa Barbara County.

Last month, Los Angeles County Judge Haley Fromholz released about 80 of those cases, including the allegations against the Rev. Kelly, to proceed toward trial. Lawyers on both sides are interviewing witnesses and preparing documents, but settlement talks continue.

John Doe 5, now 50, is the first alleged victim to accuse the priest of molestation on church property. The abuse began in 1964 when the plaintiff was 9, court papers say.

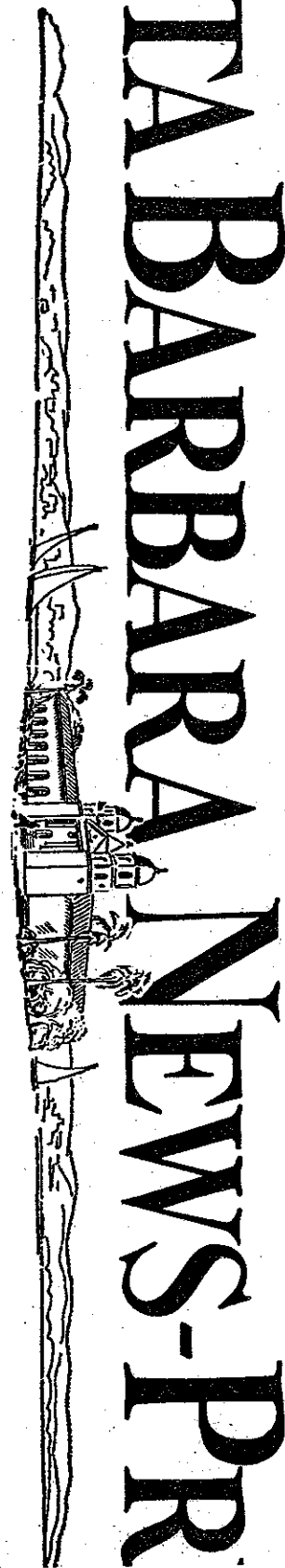
The victim had aspired to be an altar boy and a member of the Rev. Kelly's coveted "blue jackets club," which the priest started to gain access to young boys and groom them for sexual abuse, lawyers and court documents say.

The Rev. Kelly seized on mistakes the victim made during preparation for communion when he confused wine and water, according to the lawsuit.

Later, when the two were alone in a room near the sanctuary, the priest told the victim it was OK to make mistakes, then plied him with wine and "without warning, put one arm around (the) plaintiff as if to comfort him, and then fondled (the) plaintiff's genitals over his clothes . . .," the lawsuit states.

The priest abused the boy in a similar fashion six more times, lawyers say, causing him to "emotionally shut down and

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# Sexual misconduct alleged

## ■ LAWSUIT

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disassociate himself from what was happening."

Seeking to distance himself from the Rev. Kelly, John Doe 5 told his parents he no longer wanted to be an altar boy, and later transferred to public school because of discipline problems at Our Lady of Guadalupe, lawyers say.

Tod Tamberg, spokesman for the Los Angeles Archdiocese, did not return phone calls this week seeking comment. The archdiocese has not disputed other allegations against the Rev. Kelly, but argues that it had no knowledge of inappropriate actions that would prompt his removal from the church.

Four other accusers say the Rev. Kelly, who died in 2002, abused them on trips to his cabin in the Santa Ynez Mountains, the beach and other locations.

The newest case "shows Father Kelly was all over the place," said Mr. Hale, adding that the priest had many more victims who have not yet come forward.

All of the alleged victims say the priest wooed them with his knowledge of rock 'n' roll music. He supplied

them with alcohol and cigarettes, and offered them monetary payments of up to \$100 to keep quiet, court documents state.

The majority of the roughly 500 civil cases still pending against the Archdiocese of Los Angeles were filed in 2002, when California legislators lifted for one year the statute of limitations on old abuse cases.

Lawyers handling the case of John Doe 5 are hoping it will be allowed to proceed because the victim only became aware of the abuse after reading the article in October 2005, they say. Child molestation victims can sue until they are age 26, or within three years of realizing they were victims.

Cases of repressed memory, however, can be difficult to prove, legal experts agree.

The newest case comes on the heels of a \$60 million settlement agreement announced late last week between the archdiocese and 40 abuse victims, none of whom were from Santa Barbara County.

The remaining cases will proceed toward trial unless an agreement is reached between the victim's lawyers, the archdiocese and the insurance companies that provided coverage during the the years of alleged abuse.

*e-mail: mevans@newspress.com*