



FRANCISCANS SETTLE

No Confidentiality Afforded to Abusive Priests

by Martha Sadler

More than 14 years after the whispers became public accusations of child sexual abuse by Santa Barbara Franciscan friars, a settlement has finally been reached that will open church documents to the public. Unlike the sealed and secret terms of most settlements involving large amounts of money, plaintiffs in this case insisted on the right to disclose evidence of three decades of molestation, including the testimony of the abusive priests, their protectors, and the now-adult victims. The settlement also awards \$28,450,000 to the 25 plaintiffs.

The lawsuit centered on eight priests who molested students at St. Anthony's Seminary High School and the Santa Barbara Boys Choir, or took advantage of underage parishioners at the Santa Barbara Mission. They are Fathers Robert Van Handel, Mario Cimarrusti, Gus Crumm, Dave Johnson, David Carriere, Chris Berbena, and Brother Berard Connolly, and Brother Sam Cabot. Besides the perpetrators, two additional priests, Father Xavier Harris and Father Gino Piccoli, acknowledged as part of the settlement that they failed to act on reports of abuse.

Santa Barbara attorney Tim Hale, who represented 13 of the plaintiffs, said that if his clients sacrificed anything in the settlement, it was the opportunity to confront their abusers, as well as the other priests who kept it secret. "I know there are clients who would have liked to see this battle fought all the way through trial, but that would have been terribly, terribly traumatic for others," said Hale.

The material to be made public — according to the terms of the agreement — includes the perpetrators' personnel files, as well as all of the court transcripts and audiovisual testimony. Among the

witnesses whose testimony could become public is Father Virgil Cordano, who retired as pastor of the Santa Barbara parish in 1994. Cordano claimed no knowledge of the abuse.

However, before the material is released, court battles still loom over what portions the church or others can withhold from the public. On September 5, the friars are to surrender those documents along with their redactions, which the plaintiffs may in turn challenge. Material that compromises the privacy rights of people other than the molesting priests can be withheld from the public, for example, unless its public importance outweighs those privacy rights. If it reflects the church's awareness of the abuse, or indicates a cover-up, it cannot be redacted, according to the settlement. All of that is a matter of argument and interpretation by the court. The material will probably not become available to the public until the beginning of next year.

Accusations against the priests first surfaced in 1990, and ranged from allegations of priests playing doctor with boys in the choir, to unlawful intercourse with seminary students. Most of the plaintiffs were boys; two were girls. The lawsuit was initiated in 2002, shortly before the U.S. Supreme Court halted criminal prosecution of the priests, ruling that the statute of limitations had passed on the crimes. Two priests — Van Handel and Philip Wolf, who later committed suicide — were convicted in Santa Barbara courts before the deadline for criminal prosecution passed. Lawyers for the plaintiffs and the defendants have been arguing for the past four years in Los Angeles Superior Court. The settlement was reached in May, but papers were finally signed by all the plaintiffs this month. ■