

12-17-07 - Church's admission of abuse not enough
Indianapolis Star, by Robert King

A man who was an altar boy at a Southside parish 30 years ago finally heard the Archdiocese of Indianapolis publicly acknowledge today that his former priest was a molester. As much like a victory as that felt, the man who alleges he was abused and is known in court records as John Doe NM still says there is much more the archdiocese can do to come clean. For starters, he said, it can stop trying to quash his fraud lawsuit based on the technical argument that it was filed after the statute of limitations.

"I can't believe that they are even trying to fight it," he said. "What does the church really stand for?"

The scene today in Marion Superior Court could become increasingly common: the archdiocese squaring off in court against a former parishioner who claims the church knew the Rev. Harry Monroe was a danger to children but did nothing to spare them from harm.

In addition to John Doe NM, 12 men who claim to have been abused by Monroe as boys have sued the archdiocese. Today, attorney Jay Mercer asked Judge David A. Shaheed to rule in favor of the archdiocese on the basis that the claim was filed too late. He said it should have been made by the time John Doe NM, now in his early 40s, turned 20.

Before making that case, Mercer did what the archdiocese had denied in its initial responses to the lawsuits - he acknowledged the former priest's abuse.

"Harry Monroe was a child molester and a sexual predator who committed some heinous crimes against young boys in the late 1970s and 1980s," Mercer said. "Unfortunately, Harry Monroe never spent any time in jail for these crimes."

Originally, John Doe NM's lawsuit alleged eight counts against Monroe and the archdiocese, including negligence, infliction of emotional distress and childhood sexual abuse. John Doe NM's attorney, Pat Noaker, recently reduced them to one - fraud - because, he said, that best fit the evidence. Mercer said it was obvious those other claims couldn't meet the statute of limitations.

Archdiocesan leaders have not directly or publicly addressed the claims involving Monroe. But their attorney's admission follows the filing last week of a deposition in which Monroe admitted under oath that he had engaged in sex acts and lewd behavior with at least five of the 13 men who have sued him and the archdiocese.

John Doe NM, whose real name is being withheld by The Indianapolis Star, and many other alleged victims say Monroe avoided jail largely because the archdiocese kept the former priest's abuse secret until the criminal statute of limitations expired.

Evidence in this lawsuit has seemed to show the archdiocese gave Monroe new priest appointments after it became aware of his abusive behavior. Noaker referenced in court another letter that he said showed the archdiocese's director of priest personnel knew as early as 1976 - eight years before Monroe's career ended - that parents at St. Andrew's Parish complained of Monroe's abuse.

Noaker said the letter referenced Monroe pulling down a boy's pants and putting peanut butter on the child's buttocks.

That letter was written, Noaker said, before Monroe was sent in September 1976 to St. Catherine's Parish, where John Doe NM was an altar boy. Upon arriving, Monroe began bringing boys such as John Doe NM into his parish living quarters for overnight stays and taking them on camping trips.

"How was this family to know," Noaker asked Shaheed, "that the archdiocese put a child molester in their church?"

John Doe NM said Monroe abused him on several occasions, abuse that ended only after John Doe NM told his older brother. When his mother learned about it two years later, the boy was so embarrassed he made her promise not to report it.

Today, Noaker argued that the case should go forward because the six-year time limit on fraud cases should have begun ticking only after John Doe NM learned, in 2005, that the archdiocese knew of Monroe's abusive tendencies before assigning him to St. Catherine's Parish.

For the archdiocese to assign Monroe a position in a parish where he had free access to children, Noaker said, was akin to actively representing that Monroe was a person of good character and of no threat to children. That, he said, is the essence of fraud.

Mercer didn't dispute any of John Doe NM's abuse allegations. He said the fact his parents were made aware of the abuse in the 1970s, yet failed to come forward, is a key reason they can't meet the legal tests required for a latter-day lawsuit to be heard today.

Giving Monroe a parish priest assignment, Mercer also argued, did not equate to the church making an active statement that the priest was of noble character and of no threat to children. With no active assertion of such qualities, he said, there can be no fraud.

But the church asserts some things about priests today, archdiocesan spokesman Greg Otolski said outside the court proceedings. Parishioners should know that men given priest assignments have undergone criminal background checks and thorough psychological testing, and also that they have been deemed fit for the priesthood and were seen as a good fit for the parish.

As to what a priest's assignment meant 30 years ago, Otolski could not say. For John Doe NM, success in business hasn't been accompanied by success in his personal life. A lifetime of insecurity about intimacy contributed to his divorce, he said, and his nervous breakdown.

But he healed a little when he heard Monroe admit his abuse during a June deposition. It helped a little more when the archdiocese stated publicly that Monroe was a molester. But he wants the church to fully live up to its teachings about confession and penance.

"They need to practice what they preach," he said. "They need to make it right."