

January 22, 2007 - Abuse settlement announced too late by diocese, By Abbott Koloff,
The Daily Record (NJ)

Local church officials, in a statement released this past week, said they "deferred" talking about the latest allegations of sexual abuse made against Monsignor Ronald Tully until after the alleged victim's attorney went public.

So they said nothing for four months.

No, the Paterson Roman Catholic Diocese didn't exactly make a secret of the allegations. Church officials didn't exactly hide their monetary settlement with the accuser. They just didn't tell anyone -- at least until they were asked this past week by reporters.

This was no small omission, and certainly not the kind of openness some victims' advocates have been requesting of church officials. There are good reasons to make such allegations public, once church officials consider them credible.

"It's good for victims to know they're not alone," said Mitchell Garabedian, a Boston attorney who represents Tully's latest accuser.

Garabedian could have made an announcement himself, but didn't talk about the case until he was asked by reporters last week.

An official statement in the Beacon, the Paterson Diocese newspaper, said church officials wanted to wait for Garabedian to take the first step. That seems to be sidestepping their responsibility to parishioners at Sacred Heart in Dover, and other places where Tully worked.

Tully had been Sacred Heart's pastor for 20 years until he was removed in 2004 when allegations surfaced that he sexually abused two boys at his Long Island vacation house in 1979. He denied all allegations in a brief phone conversation this past week. Diocese officials said he will challenge them in a church trial.

The latest allegations were made last year by a Boston man who said he was 14 when a Boston priest brought him to Dover to share him sexually with Tully.

The man said Tully sexually assaulted him in Sacred Heart's rectory in 1984, after fondling him five times over a six-month period. Church officials said they settled with the accuser by giving him "less than \$275,000." Garabedian said church officials seemed to believe his client, because they didn't put up a fight.

While church officials said they didn't publicize the settlement in deference to Garabedian, that was news to Garabedian. He didn't ask them to remain quiet.

"The Diocese of Paterson could have notified the public at any point in time," he said. "There was neither an implied nor an expressed agreement not to make it public."

It's easy to understand why Paterson Diocese officials might feel a little uncomfortable talking about Tully, and about how church officials handled allegations against the priest before they removed him from ministry three years ago. They said in the Beacon statement that Tully had been accused of sexually abusing minors in New York state in the late 1970s.

"A timely police report was filed," the statement said.

The statement didn't mention Tully worked for the Paterson Diocese at a Passaic parochial high school at the time. He was accused in 1979 of sexually abusing two male teens from that school at his Long Island vacation

house. Yes, a timely police report was filed -- because police were called by one of Tully's neighbors after the boys ran to her house. Police records show Tully was charged with sexually abusing the boys.

The diocese statement simply says the charges were dismissed and the case files sealed.

The case ended in what is called an adjournment in contemplation of dismissal. Criminal charges are dropped and records sealed in such cases after a probationary period. They sometimes include requirements of volunteer work or counseling.

The boys from Passaic, now men, said in court papers filed three years ago that church officials threatened them after charges were filed 28 years ago to keep them quiet. The nun who was principal of their high school allegedly threatened one boy's family members with possible deportation if they pursued the case.

Bishop Frank Rodimer, they said, promised Tully never again would work with children. They said they found out the bishop hadn't kept his word when they read a newspaper account of Tully celebrating Mass at a funeral for a Dover police officer.

Not only was Tully pastor of Sacred Heart, but he had been promoted to monsignor.

That's when the men came forward. Tully immediately was removed from Sacred Heart, with church officials telling parishioners only that he had to take care of an old legal matter. That was in May 2004, a couple of months before Rodimer stepped down as leader of the Paterson Diocese and Bishop Arthur Serratelli took over.

Church officials indicated in this week's statement that Tully worked at a series of churches after the Long Island case. He went to St. Rose of Lima in East Hanover, Immaculate Conception in Franklin and St. Joseph in Lincoln Park before ending up at Sacred Heart in 1983. The statement included an interesting line:

"In 2002, Tully's name was submitted to the prosecutors in Morris, Sussex and Passaic counties when the names of accused priests were requested."

That happened right after American bishops signed a charter in Dallas agreeing to remove from ministry any cleric subject to even one credible child abuse allegation. Church officials have said it appears Tully wasn't immediately removed because of the way the Long Island case was settled. They knew enough to give Tully's name to prosecutors in the three counties covered by the Paterson Diocese. Yet, for reasons that remain unclear, they didn't know failing to remove him from ministry was an apparent violation of the charter.

So, you can see why church officials might not be proud of the way this case was handled, at least before May 2004.

Last year, they immediately reached out to the accuser in Boston, offering counseling. They notified law enforcement officials who determined the criminal statute of limitations had expired. Church officials have paid about \$750,000 over the past few years to the three men who say Tully abused them as children. They didn't hesitate to answer questions about the case this past week and issued a public statement in the diocese newspaper. They pointed out that the settlement with Garabedian's client did not include a confidentiality clause.

Then again, confidentiality clauses have been banned since Dallas.

Church officials also said they were waiting for the accuser's attorney to make a statement about the settlement. Why? That should have been their responsibility.