

## For Immediate Release

### **BRIDGEPORT CHAPTER OF VOICE OF THE FAITHFUL CALLS ON BISHOP LORI TO STOP THE STONEWALLING, RELEASE DOCUMENTS**

Norwalk, CT, Tuesday, December 12, 2006 – In response to last week’s decision by Judge Jon Alander in the case of *Rosado v. Bridgeport Roman Catholic Diocesan Corporation, et al.* and the subsequent press release from the Diocese, VOTF in the Diocese of Bridgeport calls upon Bishop William E. Lori to stop his stonewalling, abandon further appeals and release promptly the documents relating to the sexual abuse of our children by diocesan priests and the cover-up of their activities by their ecclesiastical superiors.

In his decision dated December 5, 2006, Judge Alander, of Connecticut Superior Court, ruled in favor of a motion by The New York Times, The Hartford Courant, The Boston Globe and The Washington Post that sought the release of certain documents relating to sexual abuse by priests in the Diocese of Bridgeport that had previously been sealed subject to protective order. However, he stayed his order for twenty days, presumably to give the Diocese time to enter an appeal.

The Diocese of Bridgeport promptly issued a press release criticizing the ruling and Judge Alander, and said it “is now considering what we believe to be significant grounds for appeal in this matter.”

The documents at issue were produced to the court in connection with twenty-three lawsuits filed in the mid 1990’s by victims of priestly abuse in the Diocese. Among these 924 documents (some of which are duplicates), comprising 12,675 pages, are the depositions of Bishop Lori’s two immediate predecessors, Edward M. Egan, now cardinal archbishop of New York, and Walter W. Curtis, who is now deceased, as well as depositions of other diocesan officials and information from the personnel files of the priests who committed the abuse.

For more than ten years the Diocese of Bridgeport, under the leadership of now Cardinal Egan, and his successor, Bishop Lori, has thrown up a stonewall to prevent the public’s access to these records.

The origins of this litigation relate back to 1993, when twenty-three cases charging sexual abuse by six priests were filed against the Diocese. In December 1994 Bridgeport Superior Court Judge Bruce Levin granted a request by the Diocese to seal the court records until a jury trial could begin. The Diocese argued that the records should be kept under seal for two reasons: first, to protect the reputation of the Diocese and its priests; and second, to protect the defendants’ (i.e., the Diocese and the priests) right to a fair trial.

Prior to trial, the cases were settled in 2001. Prior to settlement the Diocese constantly sought to thwart and to delay the proceedings. When Bishop Egan was promoted to the archdiocese of New York, after eight years of contentious litigation, it was decided to resolve all outstanding cases, apparently at least partly to avoid the requirement for Bishop Egan to return to Bridgeport to testify in court if these cases went to trial. The settlement prohibited the parties from divulging the terms and the depositions and records remained subject to the protective order.

The newspapers then sued to have the protective order vacated and the documents made available to the public. In May 2002 Waterbury Superior Court Judge Robert McWeeny ordered that the documents be unsealed. He asserted, “in a matter of such widespread public interest, the judicial system should not be party to a cover-up denying access to such information.” He added, “courageous victims and enterprising investigators have circumvented a judicial model of cooperation with the diocese in endlessly delaying litigation, sealing files, and coercing victims into nondisclosure settlements.”

The Diocese appealed Judge McWeeny’s decision to the three-judge Appellate Court. In June 2003 the Appellate Court rejected the arguments presented by the newspapers on a technicality rather than on the merits of the case: i.e., the newspapers had not appealed the order sealing the files in a timely manner.

In November 2005 the State Supreme Court, ruling on an appeal by the newspapers, declared that the records should be open to the public and remanded the case to the Superior Court for disposition.

In response to the Supreme Court's remand, Judge Alander ruled last week that the original order sealing the records was intended to be temporary. As the lawsuits had been settled out of court, the Diocese's right to a fair trial would not be compromised by publication of the records. He also declared that documents contained in any priest's personnel file that were relevant and material to the issue of sexual abuse could be disclosed.

Judge Alander stated his position forthrightly: "The public's right of access to these documents is particularly strong in these cases due to the extraordinary public interest in knowing whether minors in Connecticut were sexually abused by priests employed by the Diocese and whether the Diocese was responsible for perpetuating that abuse. Just as the plaintiff's right of access to relevant and material documents concerning sexual abuse by priests contained in the personnel files of the defendant priests trumps the privacy of personnel files, so too does the public's right of access to the same information when it is filed with the court."

Bishop Lori, through his spokesman, Joseph McAleer, responded that exposing these cases "to renewed public scrutiny is not a productive way to achieve the healing and resolution that the community seeks on these issues." VOTF questions that assertion, and notes that it is the Diocese, not the victims, that has sought to suppress these documents.

Bishop Lori's press release further asserts that the Diocese "has been open and proactive on the issues surrounding the sexual abuse controversy." While that claim may be subject to various interpretations, VOTF notes that had the Diocese treated the victims fairly when first notified of their claims of abuse, rather than forcing them to undergo the protracted pain and expense of litigation, it would not have been necessary to produce the documents which it is still trying to suppress, at considerable financial expense, more than ten years later. Such attempts hardly seem to fall within the commonly understood definition of "open and proactive" alleged by the Bishop.

In 2002 when the American bishops adopted their Charter for the Protection of Children and Young People, which was drafted by a Committee of which Bishop Lori was a member, they emphasized the principles of accountability and transparency and spoke of the responsibility of fraternal correction that they bore to one another. These words ring hollow when one witnesses the attempt of the bishops of Bridgeport to deny the public access to these court records. The bishops' professed desire to be accountable and transparent seems inconsistent with their frequent attempts to suppress records relating to priestly sexual abuse. Rather than publicly acknowledge their responsibility, they are determined to conceal their negligence and to thwart the right of the Catholic community to know the extent of their failure of leadership.

In fact, through his lawyers, Bishop Lori went so far as to seek to have Judge Alander removed from deciding the motion to release these documents. Then, through his spokesman, the Bishop noted in last week's press release, "Judge Alander ruled against this disqualification himself." Contrary to the Bishop's implication of impropriety, it was entirely appropriate, and consistent with the Rules of the Superior Court, that Judge Alander decide the motion seeking his disqualification.

The members of Voice of the Faithful believe that Bishop Lori, in conformity with the principles of accountability and transparency, should abandon any plan for further appeal. The Diocese has already expended more than \$37 million in settlements of cases involving priestly sexual abuse and has also incurred untold additional legal expenses through its various appeals and motions seeking to deny the Catholic people full knowledge of this shameful chapter in diocesan history.

VOTF believes that the money spent to pay lawyers' fees for repeated appeals seeking to impose secrecy on the records of the actions of the priests and bishops of our Diocese could better be used to care for the poor and the needy of the Diocese.

VOTF believes that the time for stonewalling has come to an end. The time for honesty, openness and accountability is at hand. Bishop Lori should abandon any further appeals in this matter, accept the well-reasoned decision of the Court, and allow the sun to shine on these documents. That is the approach that is likely to bring healing to the greatest number of our fellow Catholics.