

He refuses to be silent

Alleged sex-abuse victim sues diocese

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GLOBE STAFF PHOTO / JOANNE RATHE

Philip Saviano is suing the Worcester Diocese for alleged sexual abuse by a priest.

For the longest time, Philip Saviano did not want to be the one to speak out.

As a confused adolescent in 1964, he told no one of the unwanted sexual advances by Father David A. Holley, a beloved priest in East Douglas who is now serving 275 years in prison for molesting children in New Mexico.

Then, as an adult with AIDS in 1992, Saviano watched in silence as case after case of sexual abuse by priests surfaced nationwide.

Now Saviano said he won't trade his right to speak out for anything — not even \$15,500.

"I feel like when I was a kid and Father Holley told me that if I ever

said anything, terrible, horrible things would happen to me," said Saviano, who now lives in Jamaica Plain.

Saviano, 43, is the only remaining plaintiff in a civil suit filed two years ago against Father Holley, as well as the present bishop of the Worcester Diocese and the bishop who served at the time of the alleged assaults in St. Denis Church.

But Saviano has refused a \$15,500 settlement because he would have to promise in return to keep quiet about the case. He said he refused despite financial troubles brought on by his illness and a trial that could worsen his health.

"My father said to me, 'You've got one foot in the grave, and the other on a banana peel. I can't imagine why you're doing this,'"

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Saviano said. "But that doesn't prevent me from doing what I know is right."

The diocese's agreement would have forbidden Saviano from discussing the amount of the settlement — or even the existence of a settlement. Just as problematic for Saviano was the part that would have prevented him from discussing the abuse and his belief that church officials ignored the problem.

Even though Father Holley is now in prison after pleading guilty in 1993 to charges of child molestation, the Worcester Diocese has denied knowing about sexual abuse during his tenure there from 1962 to 1970. The agreement would not acknowledge any wrongdoing by the priest, a diocese lawyer said.

Father Holley was transferred from the Worcester Diocese to New Mexico, where he received psychiatric treatment while serving as a pastor until 1976. He was retired and living in Denver when the accusations against him surfaced in 1989. Saviano alleges Father Holley forced him to perform oral sex in the church basement.

James G. Reardon, whose law firm is representing the diocese, declined to discuss Saviano's case or to say whether the three other people

who joined the lawsuit had accepted the agreement. Sources familiar with the case said they had.

Saviano said his decision was as much a conflict within himself as it was a conflict between him and the diocese. He said he was torn be-

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PHILIP SAVIANO

tween pragmatism — taking the money — and idealism — speaking out against child molestation.

Already \$7,000 in debt after living with AIDS for four years, the part-time public relations consultant said he came close to signing the agreement. Friends and doctors who saw him through a severe bout of pneumonia earlier this year advised him not to risk his health with a lengthy trial.

"I just couldn't agree to it," Saviano said. "I knew if I did I would

just be contributing to their campaign to look away and shut everybody up."

Although he could use the money, Saviano said the agreement would also cost him the one thing that has helped him cope with lingering depression and guilt about his encounters with Father Holley: Talking about them. Under the agreement, Saviano could only discuss those feelings with a therapist. "I'm in the best psychological shape I've ever been in, but that's because I've been going through the whole process of talking with survivors and being active about it," Saviano said. "If I sign, I can't do any of that."

Saviano said his resolve was strengthened when he learned that the gag order was harsher than many recent agreements between victims and churches. Those agreements typically demand only that victims not disclose the settlement amount.

"The bishops released a well-worded, lengthy response to the evils of pedophilia, saying that the church should embrace these survivors," said Stephen C. Rubino, a New Jersey lawyer who has defended victims in sex abuse cases. He referred to a statement released last month by the National Conference of Catholic Bishops. "It's really unfortunate because the church acts differently than it talks."