

Documents Show Bishops Transferred Known Abuser Church officials say policies have since changed

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[Note from BishopAccountability.org: This article quotes extensively from diocesan documents in order to describe the bishops' involvement in the Holley case. With this article, the Dallas Morning News published a selection of [correspondence excerpts](#) providing additional quotations from those documents. We have added links to PDFs of the documents themselves. See also a [PDF of Egerton's original printed article](#) and the correspondence excerpts.

For more information on the Holley case, see Holley's own [Affidavit](#) (7/12/93) with links to the documents he cites; [Priest Accused of Abuse While at Parish in Mass.](#), by Stephen Kurkjian, Boston Globe (12/21/92); [4 Say Diocese in Worcester Reneged, Plan Abuse Suit](#), by Linda Matchan, Boston Globe (4/13/93); and [Priest Left Heavy Trail of Abuse](#), by Bill Murphy, Houston Chronicle (6/2/02).]

A National Conference of Catholic Bishops leader and several other top clerics knowingly allowed a child-molesting priest to work for at least 20 years in Massachusetts, New Mexico, West Texas and Colorado, their correspondence shows.



The Rev. David Holley ... the priest received 275 years in prison for molesting boys in New Mexico.

Repeated transfers of the now-imprisoned Rev. David Holley provide a case study in how bishops have cooperated to protect pedophiles in the priesthood, say experts who have tracked hundreds of clergy-abuse cases around the country.

Catholic Church officials dispute that assertion, saying they lacked knowledge about pedophiles' incurability until the early 1990s and now are moving to flush out "wolves in sheep's clothing."

Indications that bishops understood the danger much earlier appear in their own writings, which were in personnel files that some of Father Holley's former parishioners obtained in litigation a few years ago. The Dallas Morning News recently reviewed the documents, whose contents were sealed under out-of-court settlements and have never been made public.

"This man has been . . . accused of molesting teenage boys on at least two occasions - most recently in a hospital from which he has been barred - and with carrying around and showing to these boys pornographic magazines and books," wrote Worcester, Mass., Bishop Bernard J. Flanagan in a 1968 therapy referral. [See a [PDF of Flanagan's letter.](#)]

Those allegations and similar ones forced Father Holley out of his home diocese of Worcester and led to a series of transfers in the Southwest, the correspondence shows.

In 1982, Bishop Joseph A. Fiorenza wrote that he knew of Father Holley's "past difficulties" and stated: "With our shortage of priests, I am willing to risk incardinating him" - which means formally making him a priest of the Diocese of San Angelo, Texas. [See a [PDF of Fiorenza's letter.](#)]

At the time, Bishop Fiorenza headed that diocese. Today, he governs the Diocese of Galveston-Houston and, as vice president of the national bishops group, is expected to become president next year.

Bishop Fiorenza, 66, declined interview requests, saying through spokesman Ron Regan that he didn't want to revisit old traumas. "The church needs to move beyond this," Mr. Regan said Thursday .

Father Holley isn't the only child molester whom Bishop Fiorenza has allowed to continue working. After going to Houston in 1985, the bishop reassigned a priest caught in the act of abusing a girl and offered her no help, according to published reports that his spokesman doesn't dispute. The woman who discovered the abuse said the diocese pressured her not to tell police.

Mr. Regan said the Houston diocese, like the Catholic Diocese of Dallas and many others, now has a policy of investigating all abuse allegations and putting anyone accused on leave.

Father Holley, 70, didn't respond to interview requests. He was sentenced to prison in 1993 for molesting young boys in Alamogordo, N.M., two decades earlier. He is serving a maximum sentence of 275 years at the Western New Mexico Correctional Facility in Grants, N.M.

During Father Holley's 30-year career as a priest, bishops sent him for inpatient psychiatric treatment at least twice, then institutionalized him again when abuse allegations resurfaced in the early 1990s after he'd retired.

One of the hospitalizations was initiated by Bishop Fiorenza's now-deceased predecessor in San Angelo, Bishop Stephen A. Leven, who wrote in 1977 that Father Holley was "a calculated risk." [See a [PDF of Leven's letter.](#)]

Other revelations in the bishops' correspondence:

- Bishop Flanagan, now retired, wrote in 1970 that he would help Father Holley find "a benevolent bishop who could use his services" after evidence of molestation emerged in three Massachusetts parishes. [See a [PDF of Flanagan's letter.](#)] The first record of abuse in his personnel file was made in 1968, though Father Holley has testified that it was reported to Bishop Flanagan during his first parish assignment, from 1962 to 1964. [See [Holley's affidavit.](#)]

- Bishop Flanagan was unavailable for comment because of poor health, said Worcester Diocese spokesman Ray Delisle. Other top church officials in Worcester also were unavailable, he said.

- Worcester Auxiliary Bishop Timothy J. Harrington, who later became head bishop and recently died, wrote a few months earlier in 1970: "Bishop Flanagan and I have had such serious doubts about Father continuing in the priesthood that, at one time, it was suggested that he seek a dispensation and return to the lay state. . . ."

"People have been so greatly disturbed by his behavior that we would wonder whether he can avoid his reputation going before him in any area of this compact diocese. We also question whether we can chance the possibility of his having another relapse." [See a [PDF of Harrington's letter.](#)]

- Wilmington, Del., Bishop Thomas J. Mardaga refused to take on Father Holley but expressed openness to other priests "who have experienced difficulties in their own communities. This has been our policy" Bishop Mardaga died more than a decade ago. [See a [PDF of Mardaga's letter.](#)]

- Father Holley ended up at an Albuquerque retreat house run by the Servants of the Paraclete, a Catholic order that aids priests plagued by everything from sexual misconduct to addictions. All those under Paraclete care "go out to neighboring parishes on weekends," Father Holley wrote to superiors in Worcester in 1971. [See a [PDF of Holley's letter.](#)]

In recent years, the Paracletes and higher church officials have settled several dozen lawsuits over abuse committed by these priests. The policy allowing sex offenders to minister in parishes was changed.

- While under Paraclete care, Father Holley served as an assistant pastor at an Alamogordo church until the mid-1970s. His personnel file contains no record of allegations being made against him then, but his immediate supervisor, the Rev. Wilfrid Diamond, later testified that several victims' families told him of abuse at the time. Father Diamond - who said he himself was once put under Paraclete care for having sex with a woman - is now dead. [See excerpts from the Diamond deposition on the [Holley allegations](#) and [Diamond's time with the Paracletes.](#)]

- In El Paso, where Father Holley went next, Bishop Sidney M. Metzger removed him from his first parish job because of more molestation allegations. He put him at another church in the city that was described by the first pastor, the Rev. A. Dixon Hartford, as needing help. "Bishop, I know what I'm proposing is very risky" wrote Monsignor Hartford, now pastor at another church. He could not be reached for comment Friday; Bishop Metzger has since died. [See a [PDF of Hartford's letter.](#)]

- After being forced out of El Paso, Father Holley went to the Diocese of San Angelo in 1977. Court records say he worked at churches in McCamey and Garden City. Repeated recurrences of "his past problems" led to Father Holley's expulsion by Bishop Fiorenza in 1984, church correspondence shows. [See a [PDF of Fiorenza's letter.](#)]

- Father Holley ended up working later in the 1980s for short periods at an Amarillo church and as a chaplain at hospitals in Albuquerque and Denver, where church records indicate he last worked in 1988.

The records do not specify why Father Holley left those posts, although Amarillo Bishop Leroy T. Matthiesen once told *The Boston Globe* that Father Holley had been accused of making sexual advances toward another priest's nephew in 1985. The bishop said he ordered Father Holley into counseling. [See the [Globe article.](#)]

Bishop Matthiesen could not be reached for comment Friday. An Amarillo diocese spokesman said he could find no record that Father Holley had worked there.

The Archdiocese of Santa Fe, of which Albuquerque is a part, likewise said it could find no records on Father Holley and wouldn't comment.

Denver archdiocesan officials said they granted Father Holley the right to work at a Catholic hospital after the Worcester diocese assured them that he was a priest in good standing. Mr. Delisle, the Worcester spokesman, said he didn't have access to the priest's personnel file and couldn't comment.

In the early 1990s, Father Holley and some who supervised him were sued in New Mexico and Massachusetts. More than a dozen Alamogordo victims later received undisclosed amounts from the Diocese of Worcester, as well as the Diocese of El Paso, of which Alamogordo once was a part; the Servants of the Paraclete; and a clinic to which the order sent Father Holley.

Separately, four Massachusetts men received settlements from the Diocese of Worcester, according to published accounts. One man has said he got \$12,500; the other amounts weren't disclosed.

The Alamogordo suit led to criminal charges of sexual assault and sodomy, to which Father Holley pleaded guilty. Before being sentenced, he told the judge that he empathized with the young men who had testified against him.

"When they shared their pain, their embarrassment, their anguish, their suffering, I was able to identify with them," The Associated Press quoted the priest as saying.

One of the victims, Robert Curtis, said Thursday he never felt that Father Holley had taken responsibility for his actions. But the greater crime, he said, was committed by the bishops who "shuffled him around to unsuspecting little towns."

"Those people deserve to be in jail, too, as far as I'm concerned," said Mr. Curtis, who was an 11-year-old paperboy when Father Holley first approached him in the early 1970s. "They were consenting to what he did. They put every one of those kids in harm's way, including me."

To this day, he said, none of those clergymen has apologized personally to him.

The Rev. Thomas Doyle, a church-law expert who formerly worked in the Vatican Embassy in Washington, D.C., said Father Holley worked in an unusually large number of dioceses. But the broad outlines of his story, Father Doyle said, are not unusual.

"In numerous dioceses in this country, priests reported for sexual misconduct with children were transferred not only once but often several times," he wrote in a [1996 report](#) for lawyer Sylvia Demarest. She is one of the plaintiffs' attorneys who recently won a \$119.6 million judgment against the Diocese of Dallas and suspended priest Rudolph "Rudy" Kos.

In a confidential [1985 report](#) to all U.S. bishops, Father Doyle warned of the emerging pedophilia scandal and offered advice on combating it. After the document's key recommendations went ignored, he began working as an expert witness for victims suing the church - a role he played in the Dallas trial.

In a recent interview, Father Doyle said he did not believe bishops transferred molester priests out of ignorance of pedophilia's seriousness.

Such an argument "is absolute lunacy," said Father Doyle, now a chaplain at Tinker Air Force Base in Oklahoma City. "Everyone knows it's a felony" to sexually abuse a child. Yet, church officials, he said, long failed to report cases to police.

No record could be found that Father Holley's supervisors ever reported him to secular authorities. Texas and New Mexico required such notification.

In 1992, the National Conference of Catholic Bishops first spoke with one voice about abusive priests; some bishops also met with a group of victims. That same year, Cincinnati Archbishop Daniel E. Pilarczyk, then president of the bishops group, issued this statement:

"In the matter of priests and sexual abuse, undoubtedly mistakes have been made in the past. Until recently, few in society and the church understood the problem well. People tended to treat sexual abuse as they did alcoholism - as a moral fault for which repentance and a change of scene would result in a change of behavior. . . .

"Where lack of understanding and mistakes have added to the pain and hurt of victims and their families, they deserve an apology and we do apologize."

Archbishop Pilarczyk called for "far more aggressive steps . . . to protect the innocent, treat the perpetrator and safeguard our children."

He said new policies were already in place, "notwithstanding the fact that such sexual misconduct has involved relatively few priests measured against 53,000 priests in our country."

Father Doyle said nearly 1,000 pedophile priests have been identified over the last 15 years, most through criminal or civil charges. Knowledge of the problem was already widespread when he worked in the embassy a decade ago and sent the Vatican information about cases as they came to light, he said.

"In numerous dioceses across the United States from the 1970s through the early '90s," his [report to Ms. Demarest](#) states, "complaints of child abuse were handled in such a unified fashion as to indicate a meeting of the minds as to how best to prevent public knowledge of the abuse, avoid criminal prosecution and suppress potential claims. . . .

"How was such a commonly practiced plan of action arrived at? The bishops' activities in and through the National Conference of Catholic Bishops/United States Catholic Conference would provide an informal forum."

That line of thinking initially led Ms. Demarest to name the bishops group as a defendant in the Kos case. The group resisted in pretrial motions, and she backed off - fearing, she said, that she couldn't prove it had a duty to her clients, at least as that term has been interpreted by the Texas Supreme Court.

Still, she noted Friday, "the Dallas jury found that there was a conspiracy" to cover up abuse by Mr. Kos. "The question arises: Is the conspiracy limited to the Dallas diocese and the parties from outside the diocese who cooperated with them?"

Ms. Demarest said she still struggles to fathom why the church she was raised in has harbored child molesters.

"They needed the bodies" because of the priest shortage, she said. "They were very confident they would be able to prevent the public from finding out."

Former priest A.W. Richard Sipe, who worked at one of the hospitals where Father Holley was institutionalized and has counseled hundreds of pedophile priests, advanced another explanation in a [report](#) for Ms. Demarest: that bishops simply didn't consider molestation a major sin, even though they felt it needed to be concealed "to protect the reputation and finances of the Catholic Church" [Sipe report, [para. 95](#)].

"After I was ordained in 1959, I learned that some priests had sex with adults and even minors, and to some degree this was taken for granted by church authorities," he wrote.

"The secret world of sexual activity, including sexual activity with minors, was known by the Catholic hierarchy, and though considered unfortunate and morally wrong, was accepted as an inevitable and easily forgivable failure of some priests" [Sipe report, [para. 18](#)].

Sister Mary Ann Walsh, a spokeswoman for the bishops' conference, rejected that assessment, although stressing that she didn't know enough about the Holley case to address its specifics.

"This criminal activity is absolutely appalling and always has been," she said. Asked why clerics long failed to report the crimes, she suggested that both they and the priests' victims didn't want to call public attention to "something that was rightly considered sordid."

The bishops' conference now calls for all dioceses to comply with reporting laws and develop abuse-prevention strategies. Since 1992, it has also continued to elaborate on guidelines for dealing with victims, the accused and the community.

Both of the molestation cases that Bishop Fiorenza is known to have dealt with in Houston surfaced in 1986. And both involved priests caught in the act of molesting children, the *Houston Chronicle* reported in 1992. [See the [Houston Chronicle article](#).]

The bishop wouldn't talk to the Houston newspaper, which said its calls to him were returned by Monsignor Daniel Scheel, then the diocese's chancellor.

The monsignor wouldn't discuss details of the cases then and maintained that "things were a lot different" when the crimes occurred. "We didn't know about the tendency of these people to repeat their acts."

One case occurred in Navasota, where social worker Ramona Ybarra reported finding the Rev. Fernando Noe Guzman on the floor, pants down, with a 13-year-old girl. Ms. Ybarra told the *Chronicle* that she later met with Monsignor Scheel, who urged her not to cooperate with police and who transferred Father Guzman to a Galena Park parish.

In a deposition, Monsignor Scheel said he accepted Father Guzman's characterization of the girl as a "precocious child who came on to him." He said he didn't ask her name or age, so the diocese didn't contact her to offer counseling.

Bishop Fiorenza, in his deposition, said he had left the matter in Monsignor Scheel's hands.

The story was unpublicized for a few years, until Father Guzman impregnated a Galena Park church secretary. After she sued, the priest acknowledged the 1986 abuse and was criminally prosecuted. He served 90 days in jail but was not defrocked, the *Chronicle* reported.

In the other case, a Houston police officer discovered his own priest performing a sex act on an 11-year-old boy in a van. The *Chronicle* quoted another officer as saying that the Rev. Donald L. Stavinoha laughed about his arrest and predicted that nothing would happen to him because "I'm a priest."

The boy's family sued the diocese and won payments for counseling. Father Stavinoha, stripped of most priestly powers, later pleaded guilty to sexual assault and was imprisoned for a little more than a year.

The two priests' whereabouts are unknown, said Mr. Regan, the diocese spokesman.

His diocese's chancellor, the Rev. Frank Rossi, issued a statement late Friday saying that "bishops do well to directly remind their priests of the responsibility they have to conduct their lives with the greatest of human dignity and virtue. . . ."

"When acts of sexual misconduct do occur, the diocese strives to respond with compassion and healing love."

Bishop Fiorenza - the first from a Southern diocese elected to a top post in the bishops conference - is a native Texan who has stressed social justice issues.

He headed the church's national anti-poverty program, the Campaign for Human Development, in the early 1990s. He has called for breaking the cycle of poverty and helping the poor build "a better life for themselves and their children."

In an [interview](#) with *The Morning News* last year, Bishop Fiorenza talked about the rapid growth in many of his parishes and the corresponding shortage of pastors. He said he hoped that his flock would be inspired to bring forth new priests.

"We would like to emphasize strengthening family life, bringing moral teachings into the public arena . . .," the bishop said. "We believe it's a biblical value to welcome the stranger and care for the poor. And of course a high priority is the reverence for life, particularly the unborn child."

In a 1993 affidavit in the New Mexico lawsuit, Father Holley testified that "my psychosexual disorder first began to manifest itself in approximately 1962." That was the year Bishop Flanagan accepted him in the Diocese of Worcester on a trial basis from the Benedictine order, in which he'd gotten his start as a priest in 1958.

Well before he was officially made a diocesan priest in 1967, he testified, "Bishop Flanagan had received reports that I had sexually molested boys" in three parishes. "On at least two occasions Bishop Flanagan called me in to discuss the allegations, cautioned me against causing a scandal in the church, but he expressed no comments about my victims."

Almost 30 years later, four middle-aged men came forward, trying to get the Worcester Diocese to acknowledge the abuse they suffered as boys. They said the church told them in 1993 to sue if they wanted compensation for therapy, according to The Globe; diocese officials declined to comment on that allegation. [See the [Globe article](#).]

Months earlier, at their general assembly, the nation's bishops had passed a resolution saying that they'd "reflected - once again and more deeply - upon the pain, anguish and sense of alienation felt by victims. . . ."

"We pledge ourselves to one another to return to our dioceses and there to examine carefully and prayerfully our response to sexual abuse; to assure ourselves that our response is appropriate and effective; and to be certain that our people are aware of and confident in that response."