

REV. JOSEPH LOPEZ, C.M.F.
(MISSIONARY SONS OF THE IMMACULATE HEART OF MARY, CLARETIANS)

**DOCUMENTS PRODUCED BY THE ARCHDIOCESE OF LOS ANGELES 2013
PURSUANT TO JCCP 4286 SETTLEMENT AGREEMENT**

December 10, 1992

REDACTED

Claretian Missionaries
Western Province
1414 Fairoaks Avenue #6
P. O. Box 3470
South Pasadena, CA 91031

San Gabriel Mission
537 West Mission Dr
San Gabriel, CA

Dear REDACTED

I want to inform you that I was a victim of sexual abuse by one of the members of your community while I was a high school student at San Gabriel Mission High School between the years of 1962-1966. Father Joseph Lopez established a sexual relationship with me.

At the present time, I have just become aware of the sexual abuse and the impact it has had on my life. I am involved in extensive psychological therapy and a women's sexual abuse support group. Also, I have made contact with VOCAL (Victims of Clergy Abuse Link-up). It is needless to go into a lengthy explanation on how this victimization has affected me. I write to you at this time to make you aware of the involvement and to inquire as to the position and responsibility the Catholic Church will take in this matter.

Sincerely,
REDACTED

MEMORANDUM

DATE: December 16, 1992
FROM: REDACTED
TO: Monsignor Dyer
RE: Alleged Sex Abuse by Claretian Priest

REDACTED CMF, Provincial, notified us by phone today that he had received, by registered mail, a letter from a REDACTED in Seattle alleging sexual abuse by a Father Joseph Lopez while she was a student at San Gabriel Mission High between 1962 and 1966. Father Lopez taught at Mission from 1963 to 1969 but left the priesthood in 1970 and received an indult (?) (dispensation?) from rome in 1972.

REDACTED says he is preparing a response in which he will offer sympathy and enclose the Claretian policy on dealing with sex offenders. He will make clear, however, that the priest and not the religious community must bear responsibility for this kind of behavior.

He will send you a copy of the correspondence.

CLERGY DATABASE

Last:Lopez, CMF Title:Rev. First: Joseph Middle:
Color

Memo from REDACTED to Msgr. Loomis dated Dec. 16, 1992: REDACTED
CMF, Provincial, notified us by phone today that he had rec'd. by registered
mail a letter from REDACTED in REDACTED alleging sexual abuse by a Fr.
Joseph Lopez while she was a student at San Gabriel Mission High School between
1962 and 1966. Fr. Lopez left the priesthood in 1970 and received a dispensation
from Rome in 1972. 01/16/95 address REDACTED
REDACTED

**CLARETIAN
MISSIONARIES**

. PROVINCIAL OFFICE

December 22, 1992

Dear REDACTED

The peace and love of our Lord Jesus be with you.

This will acknowledge your letter dated December 10, 1992 Concerning Father Joseph Lopez. Joseph Lopez took a leave of absence from the Claretian Missionaries in January 1970 and left the Claretians and the priesthood in June of 1972. At the present time, I am not aware of Joseph Lopez' whereabouts.

With respect to your inquiry as to the position and the responsibility of the Claretian Missionaries, please be advised that the position of the Claretian Western Province is that any abuse of a minor, including sexual abuse, is totally contrary to all Christian principles and is never tolerated. With respect to legal responsibility, such conduct is, of course, completely outside the scope of the duties and responsibilities of the Claretian Missionaries and an individual who is found liable for such abuse is solely responsible for these immoral and hurtful actions. Moreover, nothing in this letter acknowledging receipt of your inquiries should be viewed as an admission or acknowledgment of any responsibility on the part of the Claretian Missionaries nor insinuate in any way the guilt or innocence of the person accused.

Putting the issue of the Claretian's legal responsibility to one side, please be assured that I realize the very serious nature of sexual abusive behavior and its consequences. Any person who is a victim of this behavior has a heavy cross to carry and is in need of healing. Please be assured of my concern and prayers.

Sincerely in Jesus with Mary,
REDACTED

EXHIBIT B

REDACTED

THE CONGREGATION OF SONS OF THE IMMACULATE HEART OF MARY OF THE WESTERN PROVINCE, INC.

**CLARETIAN
MISSIONARIES**

PROVINCIAL OFFICE

December 22, 1992

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Sincerely in Jesus with Mary,
REDACTED

THE CONGREGATION OF SONS OF THE IMMACULATE HEART OF MARY OF THE WESTERN PROVINCE, INC.
1119 WESTCHESTER PLACE, LOS ANGELES, CALIFORNIA 90019
REDACTED

END

35385

**CLARETIAN
MISSIONARIES**

PROVINCIAL OFFICE

December 22, 1992

Dear REDACTED

The peace and love of our Lord Jesus be with you.

This will acknowledge your letter dated December 10, 1992 Concerning Father Joseph Lopez. Joseph Lopez took a leave of absence from the Claretian Missionaries in January 1970 and left the Claretians and the priesthood in June of 1972. At the present time, I am not aware of Joseph Lopez' whereabouts.

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Sincerely in Jesus with Mary,
REDACTED

35393

**CLARETIAN
MISSIONARIES**

Dec. 23, 1992

REDACTED
Dear

The peace of the Lord Jesus be with you. I pray you are recovering well from your operation.

Inclosed is a letter I received from REDACTED Also my return letter to her. I talked with REDACTED and also our lawyer about this. I will keep you posted if I receive anymore correspondance on this matter.

I will be Talking with REDACTED about the matter you corresponded with me about.

Also, I will call you about a priest of ours who could be available for full time hospital work.

Please have a Christ-filled hollyday season.

REDACTED

REDACTED

MEMORANDUM

DATE: February 19, 1993
FROM: REDACTED Office of Vicar for Clergy
TO: REDACTED
RE: Attached Concerning REDACTED

REDACTED

Attached is some correspondence about which Monsignor Dyer gave me the following instructions some time ago:

"Please show this to REDACTED and tell him I would like to meet with REDACTED. It may be useless but I think someone needs to tell REDACTED that these legalistic, defensive letters invite trouble. This is the second time."

I'm sorry about the delay in getting this to you.

REDACTED

All also
internal
from
REDACTED
REDACTED



DIocese OF SPOKANE
POST OFFICE BOX 1488
SPOKANE WASHINGTON 99210
WEST 1023 AVENUE AVENUE
PHONE (509) 486-7108
FAX (509) 486-7108

Fax Message

To: REDACTED
ArchDiocese of Los Angeles

From: REDACTED Fax Number: REDACTED

Phone: _____

Subject: _____

No. of Pages: 2

Response required: Yes
No

Message:

The Address of the lady involved:
REDACTED

REDACTED

*Thank you for checking this
out for me*

REDACTED



MEMORANDUM

TO: Rev. Msgr. Timothy Dyer
FROM: REDACTED
RE: DIOCESE OF SPOKANE
DATE: February 24, 1993

The enclosed was Faxed to me by a friend, REDACTED REDACTED
REDACTED Diocese of Spokane. In his preceding phone call,
REDACTED was very upset with this "faulty pastoral response." Please
contact REDACTED directly.

Thanks.

REDACTED

Enclosure (2)

REDACTED

September 23, 1993

Meeting of REDACTED and Monsignors Timothy Dyer and REDACTED

REDACTED worked for high school tuition at San Gabriel Mission, class of '66. She "established sexual relationship" with a Claretian priest while a student. She has had lots of therapy at great expense.

Father Joseph Lopez said, "If you tell anyone, I'll be kicked out of the priesthood."

REDACTED said: "I was 15 at the time; it went on for five years (64-69). I was so ashamed I sure didn't tell anybody. I got married to get away from him. The marriage didn't work. When my own daughter (from my present marriage) reached the age I was at the time the abuse started, I became very depressed and disturbed."

When her REDACTED first marriage ended, Joe Lopez came up to Spokane and attempted to draw her into sexual contact even though he was married at the time. She turned him down and he immediately left town.

In December 1992, REDACTED wrote Father REDACTED describing the abuse. Father REDACTED wrote back expressing regret and urging her to get to the forgiveness stage. She found his letter legalistic and hurtful.

In March 1993 REDACTED flew down to talk to Father REDACTED. He told REDACTED he couldn't help her because her account was "just her story" and if he did help her financially, he would thereby be saying that the priest is guilty.

REDACTED was in a treatment center in North Dakota in the summer of 1993 for co-dependent therapy. More therapy is recommended and the family cannot afford it.

REDACTED

REDACTED

December 9, 1993

POLICY STATEMENT

The Claretian Missionaries (the "Claretians") believe that all forms of child abuse are intrinsically evil and immoral. Although pedophilia may be classified as a disease, the Claretians unequivocally state that they neither condone nor justify pedophilia or any other form of child abuse. In fact, the Claretians will not tolerate any expression of sexual misconduct perpetrated by their priests, deacons, brothers, or seminarians.

Accordingly, the Claretians will continue to make every effort possible to ensure that no applicant with a proclivity toward the abuse of minors (or anyone) is ever admitted to candidacy, novitiate, profession, or ordination.

The Claretians are aware that, from time to time, an individual (the "accuser") may come forward alleging that a former Claretian abused him or her in the past, specifically while the former Claretian was still a member of the Claretians. In such a case, the Claretians will make every good faith effort to locate the accused, former Claretian, so that the accuser, should he or she so desire, may confront him with the accusation. Should the accuser demand or request restitution, counseling, money, or any form of valuable consideration (the "demand"), the policy of the Claretians is for the accuser to make the demand of the accused, former Claretian. The Claretians are in no way responsible for satisfying such demand. If the accused, former Claretian is, in fact, guilty of the accusation made by the accuser, the Claretians believe that the accused, former Claretian is solely responsible for satisfying such demand.

REDACTED

REDACTED

12

A PROFESSIONAL SERVICE CORPORATION

Rec'd on 1/3/94

December 20, 1993

Rev. Timothy J. Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 W. 9th Street
Los Angeles, California 90015-1194

Re: REDACTED v. Claretians et al.

Dear Reverend Dyer:

We have been retained to represent REDACTED regarding harm she sustained which resulted from the misconduct of a former Claretian priest, Joseph Lopez. You are receiving this letter because it is you who has previously discussed this matter with Ms. REDACTED. If you are not the proper recipient of this letter, please forward it to the person who should respond to it.

All statements made herein are protected from future use in any court or legal proceedings pursuant to Federal Rule of Evidence 408.

Our client intends to seek compensation for damage resulting from Joseph Lopez's sexual abuse of her. The acts occurred largely during the time REDACTED was a student at San Gabriel Mission School in the mid-1960's. Joseph Lopez had sexual intercourse with REDACTED many times during that period. The sexual activity was always preceded by Mr. Lopez becoming intoxicated and insisting that REDACTED consume alcohol as well. Mr. Lopez also followed a well-known pattern whereby he provided special recognition to REDACTED which both pleased her parents and allowed him to be alone with her at odd times without arousing their suspicion.

We contend that those responsible for the conduct of Joseph Lopez, the Claretian Order and the Los Angeles Diocese, owner and operator of the San Gabriel Mission, knew or should have known of his clear and lascivious interest in REDACTED and his exploitation of her for his own gratification. Our information indicates that Joseph Lopez was incardinated by the Archdiocese of Los Angeles, which further makes the Archdiocese one of the potentially liable parties for his conduct.

Rev. Timothy Dyer
December 20, 1993
Page 2

The acts committed by Mr. Lopez were at the time, of course, felonious. Although any criminal statute of limitations has long expired, the civil statute of limitations which would apply to a presently prosecuted claim for compensation has not expired. Under the applicable Washington and California statutes, unless the product of the sexual abuse, in the form of physical or mental harm, is known to be connected to the acts of the abusing adult, the statute does not begin to run. Thus, the recent discovery by REDACTED of her claim permits her to now timely file a lawsuit.

Our purpose in writing is to bring these matters to your attention. Obviously Mr. Lopez has direct responsibility for his actions, and the Claretians have responsibility for his conduct as well. Both the Claretians and Joseph Lopez have had a sufficient presence in Washington State that both could be sued here. The Claretians have previously been made aware of the facts related here and have, apparently, decided that their liability will only be resolved through litigation. Before we further proceed with preparations to sue the Archdiocese, we wanted to learn whether any good faith settlement discussions could occur first.

While surely the Archdiocese regrets these occurrences, that regret is no substitute for the compensation due, for the harm which has occurred has been massive and long-term. Through enormous effort and sacrifice, physical, mental, and financial, REDACTED REDACTED is attempting to regain things which, for his own selfish and horrific reasons, Joseph Lopez chose to take from her.

If the Archdiocese has any interest in resolving this matter without the necessity of a lawsuit, we are willing to share more detailed information with you. If, instead, the Archdiocese would like to permit the judicial system to be the forum where we seek redress, that is what will occur.

We look forward to your reply.

Very truly yours,
REDACTED

RECEIVED
MAY 2 1964
By _____

35391

REDACTED

① pls show this to
 + tell him I'd like to
 meet w. REDACTED
 - It may be useless -
 but I think someone needs
 to tell REDACTED that these
 legalistic, defensive letters -
 create trouble. This is
 the second time.



Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

- 12/10/92 - Letter fr. REDACTED
- 12/16/92 - Fr. REDACTED notified via of Allegations against Fr. C. (alleged betw 62-66)
- 12/22/92 - REDACTED letter to REDACTED
- 12/28/92 - REDACTED sends me copies of 12/10 REDACTED letter + his 12/22 response / I tell REDACTED we need to see REDACTED
- 2/24/93 - REDACTED writes REDACTED re "family response" + It is referred to me.
- 9/23/93 - REDACTED visit with REDACTED
- 12/20/93 - Attorney for REDACTED REDACTED writes. Forward to REDACTED I spoke to REDACTED
- 1-20-94 - REDACTED called REDACTED who, as of this date, had not yet returned the call.
- 1-21-94 - Packed of background materials (all the above) sent to REDACTED
- 12-8-94 - letter to Card from Bishop Wm. Skylesstad

35377



BISHOP

DIOCESE OF SPOKANE
POST OFFICE BOX 1453
SPOKANE, WASHINGTON 99210
WEST 1023 RIVERSIDE AVENUE

December 8, 1994

His Eminence
Roger Cardinal Mahoney
Archbishop of Los Angeles
1531 W. 9th Street
Los Angeles, CA 90015-1194

Your Eminence:

I write to you in concern about the situation of REDACTED a parishioner here in the Diocese of Spokane. I share with you the broad outline of her experience. This all first came to my attention when REDACTED sought counsel from her pastor here in Spokane, who also happens to be REDACTED

REDACTED grew up in the San Gabriel Mission Parish. She attended high school at the parish high school. While a sophomore student there in 1965, she was molested by one of the Claretian priests assigned to the high school. His name was Joe Lopez. He became very deeply involved with her family and at the same time was sexually abusing here. It began when she was about 16 and lasted for four or five years. Lopez left ministry in 1970 and now resides in the REDACTED area.

About two years ago, REDACTED began to realize the abusive nature of what had happened to her; she entered therapy and had her first discussion with her pastor. With his assistance, she made contact with both Father REDACTED the Claretian provincial and with Msgr. Timothy Dyer, your vicar for clergy. The Claretian provincial was rather unresponsive. Her meeting with Monsignor Dyer lasted a couple of hours and she perceived that he acknowledged the need for the Archdiocese to take responsibility for what happened in one its schools and offered assistance and therapy. Monsignor made one phone call to her here in Spokane, but she was not home. No further follow up took place.

REDACTED has continued in therapy and been involved with some victims groups. She had some discussion with a Seattle attorney who contacted the Archdiocese, but whatever response the Archdiocese made with this attorney was not shared with REDACTED and/or they did not choose to authorize that attorney to instigate legal action against the Archdiocese.

Cardinal Mahoney/^{REDACTED}, page 2.

On Thanksgiving Day for some reason, Joe Lopez contacted ^{REDACTED}
^{REDACTED} Because of that and continuing therapy, ^{REDACTED} has again
approached the Diocese in the person of the ^{REDACTED} for
suggestions as to how she should proceed. Therapy and medical expenses
related to this abuse are significant. The fact that attorney ^{REDACTED}
has made contact with the Archdiocese (although it was over a year ago/
copy of correspondence enclosed) confuses the issue to some degree, it
is my understanding that she would like to arrange with and through the
Archdiocese some method for arbitration of issues involved.

I have agreed to write to you to bring this to your attention with the
hope the staff of the Archdiocese would be able to facilitate this
matter to some conclusion. I know that the policies of the Archdiocese
address these matters in a very positive and pastoral way. The long
distance between here and there seems to have impeded this situation
for the moment.

I am grateful to you for your pastoral attention to this matter for the
sake of ^{REDACTED} and her family. I would hope that one of your staff
could keep me informed about this as well.

Fraternally yours in Christ,

William S. Skylstad
Bishop of Spokane

cc. REDACTED

REDACTED

Jan 16, '95

(Basics of your letter telling them what we will do)

Commitment:

- 1. We will remain open to communication
- 2. Set up meeting with Fr. REDACTED to work out joint pastoral response to the abuse.
- 3. In the event of "no cooperation" from Fr. REDACTED, we will look to bringing the matter to his superior.
- 4. We will endeavor to contact Joseph Lopez and tell him that we believe the accuracy of the ~~the~~ report of abuse made by REDACTED

REDACTED

When you stepped out of the room at the end, REDACTED told me that he is presently, with legal help, trying to serve Joseph Lopez with a legal notice accusing him of abuse and asking for acknowledgement or something. He said the notice is not the beginning of a suit, something short of that.



File
COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

January 18, 1995

REDACTED

Dear REDACTED

Thank you for your visit on January 16, 1995, during which you related to REDACTED and me your efforts to obtain therapeutic help for grievances with regard to Joseph Lopez, formerly a priest of the Claretian Order. I write at this time to record points from our conversation that concern further action:

First of all, I will remain open to communication with you as you continue to seek care and therapeutic assistance.

Second, I will set up a meeting with REDACTED CMF, with the intention of working out a joint pastoral response to the abuse by Joseph Lopez. In the event REDACTED does not wish to cooperate in such a response, I will consider bringing the matter to his Superiors.

Finally, I will endeavor to contact Joseph Lopez and tell him that we find your allegations with regard to the abuse to which REDACTED was subjected by him while she was a high school student at San Gabriel to be credible.

As REDACTED is out of town for the next ten days, I do not foresee a meeting with REDACTED any earlier than the first week in February. I will be in touch with you again after that time.

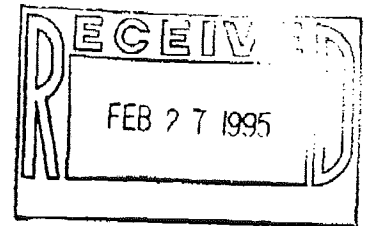
Sincerely yours,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

35375

REDACTED



REDACTED

January 31, 1995

PERSONAL AND CONFIDENTIAL

REDACTED

Re: Your letter of 1/3/95 captioned:
REDACTED v. Jose Lopez and Jane Doe Lopez

Sir:

The above referenced letter was referred to me for a response on behalf of Jose Lopez. Your letter came as quite a shock to Mr. Lopez who, until then, had enjoyed a long time friendly relationship with REDACTED and her family. If Mrs. REDACTED felt that Mr. Lopez was guilty of wrongful conduct towards her during the 1960's, she most assuredly would have taken legal action against him long ago.

Your letter threatens notification of my client's employer of Mrs. REDACTED allegations. Such a threat may subject you to lawyer discipline in this State. You are forbidden by California law from naming my client except as a Doe until you satisfy the Court by certificates of merit by a California mental health professional who has actually interviewed REDACTED and has no connection to the litigation, and until you execute a separate certificate of merit and file a corroboration of the facts underlying your allegations. As you can imagine these are safeguards of California law specifically designed to protect a citizen from uncorroborated state allegations of abuse.

I will assume that your having your 1/3/95 letter delivered to my client at his place of employment during business hours resulted from ignorance of California law. You should also be aware that your threat of notifying Mr. Lopez' employer amounts to extortion under California law.

All further communication relative to your allegations should be directed to me as Mr. Lopez' counsel. Please mark all future correspondence "Personal & Confidential -- For Addressee Only".

Very truly yours,
REDACTED

35373

**CLARETIAN
MISSIONARIES**

PROVINCIAL OFFICE

February 6, 1995

Rev. Msgr. Timothy Dyer
Vicar for Clergy
1531 West Ninth St.
Los Angeles, CA 90015-1194

Dear Msgr. Dyer:

As you know, I spoke with Fr. REDACTED on the phone about the REDACTED REDACTED matter. It appears that we spent a considerable amount of time on this matter in a previous meeting. I also recognize that we do not have similar views on dealing with this matter. I am enclosing the policy of the Claretian Missionaries of the Western Province concerning cases of this type. If you have anything new regarding this case, we can converse by phone. I see no reason to meet together to rehash positions that already have been stated.

I know that you have a very difficult job, Tim, and I sympathize with you. May the Lord help us to always make the decisions we have to make according to his will. May the Lord continue to help you in your difficult ministry.

Sincerely in Jesus with Mary,
REDACTED

REDACTED

2/23/95

From the Desk of... REDACTED REDACTED
Dear REDACTED

For Jerry,
Thank you for the telephone
call today. As we discussed
the enclosed copy is a letter
from my perpetrator's attorney
REDACTED
Abiding
my his request - please send
a letter to him from the
discuss informing him of
The validation of my claim
and the visits & communication
we have had.

Please forward a copy of
the communication to me.
Thank you for your prompt
attention to this matter.

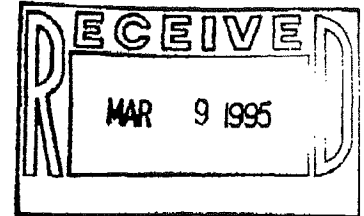
Sincerely
REDACTED

||
||

PRIORITY

*Addition to
material
for 2/28
4PM mtg*

35371



March 2, 1995

Reverend Monsignor Timothy J. Dyer
 Vicar for Clergy
 Archdiocese of Los Angeles
 1531 West Ninth Street
 Los Angeles, CA 90015-1194

Dear Monsignor Dyer:

Thank you for your very informative visit on February 28, 1995. In spite (or, perhaps, precisely because) of the sensitivity of the matter we discussed, I believe that we all came to understand each other's positions more clearly as a result of the meeting. I am grateful to you for requesting it.

If my memory serves me correctly, we concluded the meeting with the expectation that the Claretians would deal directly with either REDACTED or her attorney, rather than through the Archdiocese of Los Angeles.

However, after reviewing the additional material you gave me on February 28, 1995, I would like to offer the following comments and concerns:

- I was disappointed that, until February 28, 1995, you did not inform me of Mr. REDACTED REDACTED December 20, 1993, letter to you. In that correspondence, a copy of which you gave me only on February 28, 1995, the attorney Mr. REDACTED clearly states that his "client intends to seek compensation for [alleged] damage resulting from [alleged] sexual abuse." REDACTED REDACTED appeared to dismiss this letter as a "polite" request for information only, the tone of the letter is distinctly threatening. Mr. REDACTED concludes his letter by stating that "If . . . the Archdiocese would like to permit the judicial system to be the forum where we seek redress, that is what will occur."
- In connection with Mr. REDACTED REDACTED letter, your attached, personal comments, apparently typed by your REDACTED, include the following sentence: "Archdiocese not responsible but REDACTED is stonewalling." The obvious implication of such a remark is that you believe that the Claretians are responsible. I have informed you on numerous occasions that the Claretians are not responsible in this matter, a fact that you acknowledged in our meeting on February 28, 1995. Responsibility for actions is based on truth and justice. The Claretian Missionaries refuse to admit

Claretian Missionaries, Western Province, Inc.
 1119 Westchester Place • Los Angeles, California 90019-3523 • (213) 734-1824 • Fax: (213) 737-0301

35351

responsibility—or be threatened, tricked, or blackmailed into providing a false perception that we are responsible—where there is no responsibility. It is my perception that unjust pressure has been precipitated not only by REDACTED attorney (cf. his letter of December 20, 1993), but also by the Archdiocese. I shall be bringing our Superior General, in Rome, up-to-date on this matter.

- In the future, should you receive any letter similar in nature to Mr. REDACTED I would respectfully request that you make it immediately available to the Provincial Superior of the Claretian Missionaries, rather than waiting more than one year to inform us. Furthermore, the Claretians intend to seek advice from our own legal counsel regarding any potential negligence on the part of the Archdiocese for failing to inform us for more than one year of the threat of litigation outlined in Mr. REDACTED letter.
- I was especially distressed by your January 18, 1995, letter to REDACTED REDACTED in which you refer to “abuse” (rather than stating *alleged* abuse) by a former Claretian priest. Furthermore, your letter states that you find certain “allegations . . . to be credible.” I would like to go on record that neither the Archdiocese (or any other diocese) nor the Claretians (or any other religious order) should be communicating judgmental statements to potential plaintiffs or defendants. At this time, with the exception of God alone, only REDACTED and the former priest she is accusing know the truth about this matter and may be able to judge the responsibility thereof, and, therefore, the Claretian Missionaries categorically separate ourselves from any and all judgmental statements that may be contained in your letter of January 18, 1995.
- Finally, and most importantly, I agree with you that we should endeavor to respond, in a genuinely pastoral and charitable manner, to the issue at hand. However, your January 18, 1995, letter, combined with Mr. REDACTED letter of December 20, 1993, may place in jeopardy the possibility of a genuinely pastoral and charitable response. Nevertheless, we would still hope to resolve the matter in that way. As I informed you previously, I met with REDACTED in a pastoral context, for over an hour on one occasion. I prayed with her that she might find healing and peace. I would be happy to meet with her again, if she would like, unless our legal counsel objects. I will listen to her, empathize with her, and attempt to offer her my prayerful encouragement.
- Regarding the specific matter of the financial aid that REDACTED is requesting, or the “good faith settlement” to which Mr. REDACTED refers in his letter, I believe that prudence dictates that we await the outcome of the dialogue that REDACTED REDACTED informed me as having occurred between REDACTED attorney and that of the former Claretian priest whom she is accusing. We will keep the Archdiocese

apprised of our actions and correspondence in this matter, and request that the Archdiocese thoroughly reciprocate. This should not be a "one-way street."

Monsignor Dyer, I believe that we are all trying to do what is right, pastorally sensitive, loving, and prudent in this matter. This letter is not intended to offend you in any way. Should you have any questions about its content, please feel free to contact me.

Unfortunately, the issue of accusations and consequences of sexual abuse in the Church will probably not disappear any time in the near future. It is perhaps the single greatest threat facing the future of religious life and the priesthood today. We are all currently grappling with this tragedy and pain. May this Lenten Season be, for all of us, a time of renewed commitment to faithful discipleship and the cross that following Jesus brings our way. Let's keep praying for each other always.

Sincerely yours in Jesus with Mary,
REDACTED

REDACTED

cc: Cardinal Roger Mahony
REDACTED

March 17, 1995

REDACTED

Rev. Msgr. Timothy J. Dyer
 Vicar for Clergy'
 1531 West Ninth St.
 Los Angeles, CA 90015-1194

REDACTED

1531 West Ninth St.
 Los Angeles, CA 90015-1194

Dear Rev. Dyer and REDACTED

In reference to the meeting you had with myself and husband REDACTED on January 16, 1995, whereby we discussed the efforts I am pursuing relative to healing from the effects I have incurred due to the sexual abuse of Joseph Lopez, a former priest of the Claretian Order and relative to the committment you made as a Pastoral Care Response as Cardinal Mahoney advocates in the Sexual Abuse Policy as adopted by the Diocese of Los Angeles, I hereby request the following:

1. A copy of the letter that you sent to Joseph Lopez confirming the report of his misconduct.
2. A letter confirming the meeting you had with REDACTED, Provincial of Claretian Order, and the results from that meeting in terms of steps of action.
3. A copy of the letter REDACTED committed to sending, in our phone conversation on February 23, 1995, to REDACTED (Joseph Lopez's attorney) expressing the validity of my experience.
4. I request your financial support for my attendance at the Third National Link-up Conference in Chicago September 1-4, 1995 relative to transportation and registration fees.

REDACTED

REDACTED Looking forward to hearing from you at your earliest convenience.

Thank you for your attention and support in this process.

Sincerely,
 REDACTED



CONFIDENTIAL

 MEMORANDUM

March 27, 1995

TO: MONSIGNOR DYER

FROM: REDACTED

RE: RESPONSE TO REDACTED LETTER OF MARCH 17, 1995

I have been unable to draft a coherent response to REDACTED letter without further consultation with you and REDACTED --and maybe the Cardinal.

What our response should include:

- Our meeting with Father REDACTED (February 28, 1995) has caused us to reassess our approach to being of help. The Claretian Community wants to deal directly with her or her attorney, not through or with us. This fact, plus the effort to elicit a response from Joseph Lopez through her attorney, makes us want to wait for his response before we discern our place in any material expression of pastoral support.
- We did not send a letter directly to Joseph Lopez. We did not think it appropriate under the circumstances.
- Attached is a draft of the kind of letter I think we should send REDACTED attesting to her credibility. If our lawyers do not block it completely or modify it in such a way that leaves some "support" in it, I think we should send it.

See Attachment

35359

March 27, 1995 -

DRAFT OF LETTER REDACTED WOULD ADVISE SENDING TO REDACTED THE
ATTORNEY FOR REDACTED AND TO REDACTED , THE ATTORNEY FOR
JOSEPH LOPEZ

Sirs:

Nearly two years ago, REDACTED contacted the Office of the Vicar for Clergy to inform us that when she was a sophomore at San Gabriel Mission High School, a man, who at that time was a Claretian priest teaching at that school, drew her into a series of sexual encounters that persisted for nearly five years. She became aware only years later that such a relationship is abusive of itself. She described the pain and emotional damage she suffered from this alleged abuse, as well as the great amount of work and money she has expended in her pursuit of healing.

We have never met or heard from the man alleged to have committed this abuse. We do not by this letter declare that man guilty or responsible for those acts.

We do, however, say that REDACTED presented her account of this alleged abuse in a very credible fashion. She has been clear and consistent. She has brought these allegations to us at considerable emotional and even financial cost to herself.

We have the responsibility of hearing complaints of abuse made against priests in this Archdiocese. REDACTED manner of relating her experience is consistent with that of others whose allegations proved to have merit. We certainly agree that it is reasonable and just to ask the man accused of this abuse to make a response.

//S - Rev. Msgr. Timothy J. Dyer //S - REDACTED

COPY

REDACTED

April 20, 1995

VIA FACSIMILE and U.S. MAIL

REDACTED

Re: REDACTED v. Claretians et al.

Dear Mr. REDACTED

I have tried to reach you several times over the past two days in order to respond to your fax letter dated April 17, 1995. I understand that you have been busy with other matters. Rather than waiting any longer to speak to you I am responding with this letter on behalf of the Archdiocese of Los Angeles.

I have been brought into this case because REDACTED has been asking Monsignor Dyer REDACTED for a "letter of merit," if I understand correctly, is one prepared by a licensed health care provider, i.e., a licensed professional such as REDACTED REDACTED

REDACTED attorney for Jose Lopez, the accused abuser. Neither Monsignor Dyer REDACTED REDACTED qualifies as a health care professional and I have, therefore, advised them not to send such a letter.

35354

REDACTED

REDACTED

Page Two
April 20, 1995

It appears that there may have been some miscommunication between REDACTED and Monsignor Dyer and REDACTED. These appear in her March 17, 1995 letter to them. I assume that you have a copy of the letter. Her letter lists four items which I will address in the same sequence that she presented them.

Item One: "A copy of the letter that you sent to Joseph Lopez confirming the report of his misconduct."

Neither Monsignor Dyer REDACTED has written to Jose Lopez; nor did they intend to or tell REDACTED that they would write to him. However, they did tell her that they would have the Claretians contact him. This was later complicated when it was learned that Mr. Lopez was represented by counsel, REDACTED

Item Two: "A letter confirming the meeting you had with REDACTED REDACTED Provincial of Claretian Order, and the results from that meeting in terms of steps of action."

There was a meeting with REDACTED the Claretian Provincial. The Claretians advised us that they preferred to deal with you directly rather than through the Archdiocese of Los Angeles.

Item Three: "A copy of the letter REDACTED committed to sending, in our phone conversation on February 23, 1995, to REDACTED (Joseph Lopez's attorney) expressing the validity of my experience."

Neither Monsignor Dyer REDACTED told REDACTED that they would send a letter to Mr. Lopez's attorney, REDACTED REDACTED concerning the validity of her experience. She asked them for a letter of merit (which I have addressed above) and wanted it sent to her. As I have said, neither Monsignor Dyer REDACTED is qualified to prepare such a letter because neither qualifies as a health care professional.

Item Four: "I request your financial support for my attendance at the Third National Link-up Conference in Chicago September 1-4, 1995 relative to transportation and registration fees."

You and I need to discuss the fourth item with regard to any monetary assistance from the Archdiocese of Los Angeles.

35355

REDACTED

REDACTED

Page Three
April 20, 1995

It is not at all clear from your letter what your client is looking for from the Archdiocese of Los Angeles. The Claretians are aware of REDACTED claims and have told us that they wish to deal with them directly. Since you are representing REDACTED this means that they will be dealing with you, of course. I must point out that your letter is in error where it states that Monsignor Dyer or REDACTED would contact Mr. Lopez. Mr. Lopez is represented by counsel. I have instructed Monsignor Dyer and REDACTED not to contact Mr. REDACTED. If there is to be any contact with Mr. REDACTED I will contact him.

I would like to bring to your attention the holdings in two California cases which I believe will be controlling here in the event of litigation: (1) Rita M. v. Roman Catholic Archbishop (1986) 187 Cal.App. 3d 1453; and , (2) Debbie Reynolds Prof. Rehearsal Studios v. Superior Court (1994) 25 Cal.App.4th 222. Rita M. holds that a church is not vicariously liable for acts of abuse committed by its employee; those acts are outside the scope of employment. In Rita M. ("It would defy every notion of logic and fairness to say that sexual activity between a priest and a parishioner is characteristic of the Archbishop of the Roman Catholic Church." 187 Cal.App.3d at 1461.) In Debbie Reynolds it was held that by its expressed terms the special extended statute of limitations for recovery of damages for childhood sexual abuse (California Code of Civ. Proc., §340.1) applies to claims against an alleged abuser but does not apply to claims against other parties for negligence in permitting the alleged abuse to occur. For negligence claims against other parties, the usual one-year statute of limitations (Code Civ. Proc., §340, subd. (3)) applies.

In any event, I look forward to discussing this matter with you.

Very truly yours,

Dictated but not read

REDACTED

REDACTED

35356

REDACTED



COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1194

April 26, 1995

REDACTED

Claretian Missionaries, Western Province
1119 Westchester Place
Los Angeles, CA 90019-3523

Dear Father REDACTED

In response to your letter to me of March 2, 1995, I, too, am grateful for the time we spent together on February 28, 1995. I am also appreciative of your sharing your comments and concerns.

As to the letter received by the Archdiocese from Mr. REDACTED, an attorney representing the REDACTED I need to state that there was no negligence on the part of the Archdiocese in not sharing the communication. The communication was directed to the Archdiocese, not to the Claretians. The Archdiocese, through its outside counsel, intended to contact Mr. REDACTED, but the contact was never made. Mr. REDACTED did not pursue the matter of the REDACTED with the Archdiocese. Therefore, at our meeting we shared a letter received over a year ago for informational purposes only, as we jointly attempted to respond pastorally to the REDACTED

As to my perception regarding REDACTED allegations, you are correct that these are my perceptions and not those of the Claretian Missionaries.

In your letter, you quote my remark, attached to Mr. REDACTED letter, that the "Archdiocese [is] not responsible but REDACTED is stonewalling." You go on to interpret that quotation: "The obvious implication of such a remark is that you believe that the Claretians are responsible." I want to say again that the Archdiocese does not believe the Claretians are morally responsible for alleged abuses that REDACTED REDACTED may have suffered. Nor do we believe that the Claretians are legally responsible for paying the cost of health care required to heal the effects of such abuse.

I am pleased to read that, notwithstanding the above, you are willing to meet with REDACTED in a pastoral context. Am I correct to assume that you will initiate the contact? Please advise.

35346

REDACTED

Page 2

REDACTED did make telephone contact with REDACTED early this month, listening to her for a long period. He and I will probably write her a letter documenting that she has met with us and told us her allegations. This letter will be reviewed by legal counsel prior to its being sent. Of course, the Claretian Missionaries will not be implicated.

As to financial aid, I agree with you that Mr. Lopez is responsible, if the accusations are correct. At this time, though, the Archdiocese may respond in a pastoral manner and in a small way to aid her as she is going through her attempt to bring peace to her life.

If you have any questions concerning the above, please do not hesitate to contact me.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

35347

CCI 000036

May 1, 1995

REDACTED

Claretian Missionaries
REDACTED
REDACTED
1119 Westchester Place
Los Angeles, CA 90019

Dear Rev. REDACTED

This letter is in response to our telephone conversation on April 18, 1995, regarding the sexual abuse, specifically, rape and molestation perpetrated onto me by a former Claretian priest Fr. Joseph Lopez, C.M.F. who wore the mantle of God.

The trauma that I suffered as an adolescent has affected all aspects of my life and over the years has had a colossal drain on my energies physical, intellectual, emotional, and spiritual. This translates into lost opportunity a condition that is indeed difficult to measure nevertheless, warrants acknowledgment.

In reviewing my life and studying the literature available on sexual abuse I do readily identify with the findings and the profound tragedy of, innocence lost thru assault and exploitation. Over the years, I have struggled and managed to piece my life together, working to balance the demands and responsibilities of work and motherhood as well as battling chronic depression and its accompanying fatigue both physical and psychological. Thousand of dollars have been spent on medical problems and successive surgeries ALL related to sexual abuse. Presently, this results in my high risk stature for health care coverage, hard costs of \$500.00 a month for insurance premiums. Not to mention the monthly costs for therapeutic help and bodywork in my attempt to heal in the sexual and spiritual arenas.

Now that I understand the magnitude and heinousness of what happened to me during adolescence, I can honestly say, without exception, that ALL of my relationships; with myself, husband, daughters, family and friends, and community have been adversely affected by the reverberations of betrayal at the deepest level. The affect is profoundly deep and disruptive.

Now in the present time, I feel one of the most grievous injuries of clergy abuse is what I am experiencing while reporting this abuse to you as Provincial of the Claretian Order. I feel ignored, slighted, revictimized and this is as damaging as the original experience and all of this is being done at the hands of the "men of God." The lack of support, acknowledgment, compassion and concrete action has combined to reinforce my

perception that God really does not care and truly is actively hostile. My experience in approaching the Church has been one of shame, degradation for my courageous actions, dishonesty, denial, miscommunication, and lack of responsibility, and defensiveness.

Having been raised a Catholic thru Baptism, Holy Communion, Reconciliation, Confirmation, Matriimony, the Annulment process, and remarriage in the Catholic Church, as well as having invested a significant amount of my personal time teaching Sunday School in Assumption Parish parochial school in Spokane, WA, I experience difficulty in the stonewalling and feel a very deep profound sense of betrayal by the Church further complicating my healing process. I continue a struggle to heal as a victim of one of the most heinous of spiritual wounds rape by a priest. I have understandable and justifiable anger as I face the lack of responsiveness of the system of Law and the Church hierarchy. This has caused profound alienation and isolation and I am faced to live with fear, rage anxiety, loneliness, and a strong sense of separateness from my Church community and family.

It is in the spiritual realm wherein lies the greatest damage. What happened to me as an adolescent has made my spirituality a struggle. What is happening to me as an adult woman approaching the Church has further complicated and intensified the struggle. This struggle is filled with mystery and deep pain. For healing to take place, this struggle must be worked through. My soul screams loud and I've lived with hopelessness and despair. I am a spiritual fugitive with no place to run, no place to find solace and safety. My soul, my sanctuary within should be a place of refuge. But NO, I am contaminated by the unraveling of POWER between a priest and an adolescent girl. I would not wish these feelings on anyone for they tell of a very devastated spiritual landscape.

As I mentioned, lost opportunity warrants acknowledgment. In fact lost opportunity as I have described, however briefly, demands acknowledgment, for it is in being listened to and being heard and supported that healing and recovery are possible. What I am asking for falls into the category of Pastoral Care. It is slight in comparison to what was stolen from me. A fair estimate of a single amount that would be sufficient to meet my needs is \$150,000.00. This figure is based on a careful and responsible assessment of my circumstances and needs. Pastoral care in no way palliates what was perpetrated on me, but it would afford me the opportunity for a closure to a painful part of my life and enable me to meet my therapeutic, spiritual needs and responsibilities with less financial hardship. Enclosed are letters from my therapists confirming my ongoing search for healing.

In every situation involving sexual abuse there is always the problem of objective evaluation. One aspect of my situation is clear and that is, words really do fail to describe or demonstrate the isolation, loneliness and the profound pain of

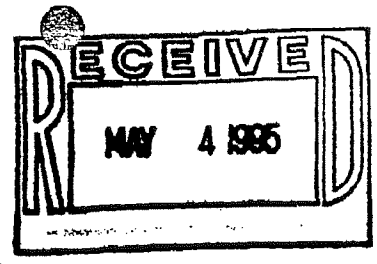
sexual abuse by a man of God. I must assume you have no personal reference point to such a tragedy. I, however, live this tragedy on a daily basis. I do believe there are some maxims that everyone can agree on: The exploitation of a child by another in the family or one who stands before the child in a spiritual role invested with significant intimacy and authority is a crime of immense proportions.

I hope we can work together with the Claretian council towards a resolution of these difficult circumstances. A significant part of my healing requires this accountability. Thus, I ask the Claretian order to take responsibility in this. I have spent many hours looking at the CANON LAW as it relates to my situation. While obviously, I am not a Canon lawyer or scholar in this area, it is clear that a bishop exercises authority over his priests and his duties and responsibilities with regard to a priest's conduct. It is imperative that a priest should do nothing that would lead to scandal. A priest is fundamentally obliged to treat all people at all times with respect, and in a morally and ethically correct manner.

I await word from you and the Claretian Council.

Sincerely

REDACTED



May 1, 1995

REDACTED

Rev. Magn. Timothy Oyer
Vicar For Clergy
1531 West Ninth St.
Los Angeles, CA 90015-1194

REDACTED

1531 West Ninth St.
Los Angeles, CA 90015-1194

Dear Rev Oyer REDACTED

This letter is in response to our telephone conversations and written communication you have had with myself and my husband Dr. REDACTED since our meeting on January 16, 1995, regarding the sexual abuse, specifically, rape and molestation perpetrated on to me by a former Christian priest Fr. Joseph Lopez O.M.F., who wore the mantle of God.

The trauma that I suffered as an adolescent has affected all aspects of my life and over the years has had a colossal drain on my energies physical, intellectual, emotional, and spiritual. This translates into lost opportunity a condition that is indeed difficult to measure nevertheless, warrants acknowledgment.

In reviewing my life and studying the literature available on sexual abuse I do readily identify with the findings and the profound tragedy of innocence lost thru assault and exploitation. Over the years, I have struggled and managed to piece my life together, working to balance the demands and responsibilities of work and motherhood as well as battling chronic depression and its accompanying fatigue both physical and psychological. Thousand of dollars have been spent on medical procedures and successive surgeries all related to sexual abuse. Presently, this results in my high risk status and health care coverage hard costs of \$500 in a month for insurance premiums. Not to mention the monthly costs for transportation, food and lodging in my attempt to heal in the physical and spiritual arenas.

Now that I understand the magnitude and consequences of what happened to me during my experience of non domestic sexual without exception, that all of my relationships with wife, husband, daughters, family and friends, and community have been completely affected by the repercussions of betrayal at the deepest level. The affect is profoundly deep and disruptive.

Now in the present time, I feel one of the most profound anger at

35338

of clergy abuse is what I am experiencing while reporting this abuse to you as representatives of God in the Los Angeles Diocese. I feel ignored, slighted, revictimized and this is as damaging as the original experience and all of this is being done at the hands of the "men of God." The lack of support, acknowledgment, compassion and concrete action has combined to reinforce my perception that God really does not care and truly is actively hostile. My experience in approaching the Church has been one of shame, degradation for my courageous actions, dishonesty, denial, miscommunication, and lack of responsibility, and defensiveness. This brings to mind the Biblical verse: Beware of false prophets, people that come to you in sheep's clothing but inwardly are ravenous wolves. By their conduct you can know them. (Matthew 7:15-20). My experience is one of facing that the the words of the Church leadership differ radically from the DEEDS of the Church leadership.

Having been raised a Catholic thru Baptism, Holy Communion, Reconciliation, Confirmation, Matrimony, the Annulment process, and remarriage in the Catholic Church, as well as having invested a significant amount of my personal time teaching Sunday School in Assumption Parish parochial school in Spokane, WA, I experience difficulty in the stonewalling and feel a very deep profound sense of betrayal by the Church further complicating my healing process. I continue a struggle to heal as a victim of one of the most heinous of spiritual wounds made by a priest. I have understandable and justifiable anger as I face the lack of responsiveness of the system of Law and the Church hierarchy. This has caused profound alienation and isolation and I am forced to live with fear, rage anxiety, loneliness, and a strong sense of separateness from my Church community and family.

It is in the spiritual realm wherein lies the greatest damage. What happened to me as an adolescent has made my spirituality a struggle. What is happening to me as an adult woman approaching the Church has further complicated and intensified the struggle. This struggle is filled with mystery and deep pain. For healing to take place, this struggle must be worked through. My soul screams loud and I've lived with hopelessness and despair. I am a spiritual fugitive with no place to run, no place to find solace and safety. My soul, my sanctuary within should be a place of refuge. But NO, I am contaminated by the raping of FOWIE between a priest and an adolescent girl. I would not wish these feelings on anyone nor they be a part of a very devastated spiritual landscape.

As I mentioned, just opportunity warrants acknowledgment. In fact just opportunity as I have described however totally demands acknowledgment. For it is in being lied to and being denied and support in being denied and betrayed and isolated. What I am asking for falls into the category of Restored Dignity. It is a right in comparison to what was stolen from me. A one time payment of a single amount that would be sufficient to meet my needs (a \$150,000.00). This figure is based on a careful and responsible

assessment of my circumstances and needs. Pastoral care in no way palliates what was perpetrated on me, but it would afford me the opportunity for a closure to a painful part of my life and enable me to meet my therapeutic, spiritual needs and responsibilities with less financial hardship. Enclosed are letters from my therapists confirming my ongoing search for healing.

In every situation involving sexual abuse there is always the problem of objective evaluation. One aspect of my situation is clear and that is, words really do fail to describe or demonstrate the isolation, loneliness and the profound pain of sexual abuse by a man of God. I must assume you have no personal reference point to such a tragedy. I, however, live this tragedy on a daily basis. I do believe there are some maxims that everyone can agree on: The exploitation of a child by another in the family or one who stands before the child in a spiritual role invested with significant intimacy and authority is a crime of immense proportions.

I hope we can work together on this since passing my file off to an attorney has only proved to complicate the circumstances with tremendous miscommunication. He discounts even what you have written to me in your letter of January 1995. A significant part of my healing requires this accountability. Thus, I ask the Diocese of Los Angeles to take responsibility in this. I have spent many hours looking at the CANON LAW as it relates to my situation. While obviously, I am not a Canon lawyer or scholar in this area, it is clear that a bishop exercises authority over his priests and his duties and responsibilities with regard to a priest's conduct. It is imperative that a priest should do nothing that would lead to scandal. A priest is fundamentally obliged to treat all people at all times with respect, and in a morally and ethically correct manner.

I await word from you.

Sincerely,
REDACTED

23



May 4, 1995

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

REDACTED

Dear REDACTED

I was very saddened to read your letter of May 1, 1995. I empathize with the pain that you describe, and want you to know that you are in my thoughts and prayers in this very difficult time in your life.

In reply, I would like to inform you that, last week, Father REDACTED EDACTED REDACTED EDACTED . On April 26, 1995, I was elected as his successor in office. As I promise to keep you in my prayers, I ask that you pray for me and my sometimes very difficult ministry, too.

REDACTED REDACTED, has informed you, the Claretian Missionaries are not responsible for the pain and suffering that you claim to have experienced. If you believe that an individual has harmed you (as your letter alleges), you certainly have the right to expect justice from him. However, I reiterate that the Claretian Missionaries have no legal responsibility to you.

May the Lord be with you as you search for healing, peace, and happiness. Again, please pray for me in my new ministry as Provincial.

Sincerely yours in Christ,
REDACTED

REDACTED

35319

Claretian Missionaries, Western Province, Inc.
1119 Westchester Place • Los Angeles, California 90019-3523 • (213) 734-1824 • Fax: (213) 737-0301

EXHIBIT A

22



May 4, 1995

Reverend Monsignor Timothy J. Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, CA 90015-1194

Dear Monsignor Dyer:

For your information and file, please find enclosed a copy of REDACTED letter of May 1, 1995, to Father REDACTED

I am also enclosing a copy of Father REDACTED May 4, 1995, letter of reply to REDACTED

Fraternally in Christ,

REDACTED

REDACTED

Enclosures

Claretian Missionaries, Western Province, Inc.
1119 Westchester Place • Los Angeles, California 90019-3523 • (213) 734-1824 • Fax: (213) 737-0301

35332



May 4, 1995

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

REDACTED

Dear REDACTED

I was very saddened to read your letter of May 1, 1995. I empathize with the pain that you describe, and want you to know that you are in my thoughts and prayers in this very difficult time in your life.

In reply, I would like to inform you that, last week, Father REDACTED REDACTED On April 26, 1995, I was elected as his successor in office. As I promise to keep you in my prayers, I ask that you pray for me and my sometimes very difficult ministry, too.

REDACTED as Father REDACTED has informed you, the Claretian Missionaries are not responsible for the pain and suffering that you claim to have experienced. If you believe that an individual has harmed you (as your letter alleges), you certainly have the right to expect justice from him. However, I reiterate that the Claretian Missionaries have no legal responsibility to you.

May the Lord be with you as you search for healing, peace, and happiness. Again, please pray for me in my new ministry as Provincial.

Sincerely yours in Christ,
REDACTED

REDACTED

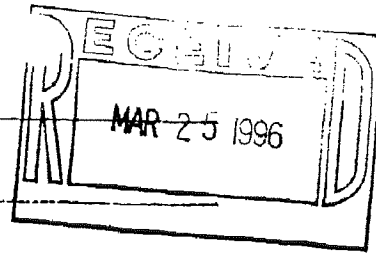
Claretian Missionaries, Western Province, Inc.
1119 Westchester Place • Los Angeles, California 90019-3523 • (213) 734-1824 • Fax: (213) 737-0301

35333

SCHEDULE OF EXHIBITS

- A May 4, 1995 letter of Rev. REDACTED
- B December 22, 1992 letter of Fr. REDACTED
- C Photograph of REDACTED from 1964 Yearbook
- D Photograph of Rev. REDACTED from 1964 Yearbook
- E Photograph of Father Lopez from Yearbook
- F Report of REDACTED dated March 4, 1995
- G Report of REDACTED dated June 30, 1995
- H Report of REDACTED, dated March 5, 1995
- I Report of REDACTED Certified Polygraphist, dated June 5, 1995

REDACTED



REDACTED

March 22, 1996

REDACTED
REDACTED

Claretian Missionaries
Western Province, Inc.
1119 Westchester Place
Los Angeles, CA 90019-3523

Re: REDACTED /Fr. Joseph Lopez

Dear Rev. REDACTED

REDACTED have asked me to respond to your letter of May 4, 1995, and to the December 22, 1992 letter of Father REDACTED. Copies of these letters are attached as Exhibits A and B for your ease of reference.

REDACTED now 47 years old, regrettably was the victim of sexual abuse committed by Father Joseph Lopez who left your community some years ago. This process of acknowledgment, accountability and on-going healing has lasted in excess of four years, and on behalf of Mrs. REDACTED it is my hope that we can enter into a final chapter resolution so that all parties can get some degree of closure and move on with more positive activities.

Due to the length of this communication, it is important to advise you what this document is not. It is not prelude to litigation. It is, however, a significant effort geared toward a request of the Claretian Order and the Archdiocese of Los Angeles to reconsider your position of non-involvement and to fully address the considerable funds expended for psychotherapy and other recovery expenses which were required due to the sexual abuse of REDACTED by then Father Joseph Lopez.

REDACTED

March 22, 1996
Page 2

So that our position is clear, we believe we can demonstrate that your statement of non-involvement is without merit. Noninvolvement when children are sexually violated by members of your community does violence to the basic tenets of canon and civil law, morality and an overall sense of fairness and equity. It is also completely at odds with the recent work of the United States Catholic Conference Sexual Abuse Committee as well as the October 25, 1995 pronouncement of the bishops entitled *Walk in the Light: A Pastoral Response to Child Sexual Abuse*. More troubling is the possibility that Father Lopez's departure from your community justifies your callous response to REDACTED

Allow me to point to two different passages that demonstrate the dramatic contrast between your position as a religious order and mainstream thinking on these most sensitive issues.

We are compelled to speak even knowing that the Church carries a heavy burden of responsibility in the area of sexual abuse. Some ordained ministers and religious brothers and sisters as well as lay employees and volunteers, have sexually abused children and adolescents. We are acutely aware of the havoc and suffering caused by this abuse and we are committed to dealing with these situations responsibly and in all humility . . .

Like Jesus, the Church reaches out to offer healing and reconciliation to people without hope. Desiring to restore wholeness to the victims/survivors of sexual abuse and to their families, and wanting to break the cycle of abuse, we seek to

*Offer physical safety and help for sexual abuse victim/survivors;
Bring about spiritual and emotional healing, forgiveness and reconciliation for victims/survivors and their families, recognizing that this is it not always possible to keep the family together.*

Walk in the Light: A Pastoral Response to Child Sexual Abuse.

On December 22, 1992, Father REDACTED wrote the following which was confirmed by your letter of May 4, 1995:

“With respect to legal responsibility, such conduct is, of course, completely outside the scope of the duties and responsibilities of the Claretian

REDACTED

March 22, 1996

Page 3

Missionaries and an individual who is found liable for such abuse is solely responsible for these immoral and hurtful actions. Moreover, nothing in this letter acknowledging receipt of your inquiries should be viewed as an admission or acknowledgment of any responsibility on the part of the Claretian Missionaries nor insinuate in any way the guilt or innocence of the person accused."

What Happened to REDACTED

The sexual abuse began with classic grooming behaviors while REDACTED was a sophomore at San Gabriel Mission High School in 1964. At the time she was 16 years old. (See as Exhibit C a photograph of REDACTED from the 1964 Pioneer Yearbook). Due to the size of REDACTED family and the concomitant financial restrictions upon them, she worked in the principal's office in the boys' wing at the school to help defray tuition expenses. Her immediate supervisor was REDACTED. In addition, Father REDACTED C.M.F. was the principal at the time and on many occasions REDACTED worked for Father REDACTED as well. See Exhibit D. It is inconceivable that based upon the physical layout of the school that Father REDACTED did not notice the over-reaching and flirtatious behavior of Father Lopez while in the office. One of her duties and responsibilities was to type certain tests for faculty members and to make test dittos for the classes and address any other kind of clerical needs that would arise. She was treated as an adult in this position, even though she was only 16 and a student at the high school. As REDACTED recalls it, she was given faculty member responsibilities and this placed her in a confusing position. REDACTED also recalls working with Father REDACTED, Father REDACTED REDACTED Father REDACTED Father REDACTED and Father Joseph Lopez, who taught religion, Spanish, civics and typing. See Exhibit E.

In all of the people mentioned above, Father Joseph Lopez appeared to request REDACTED help more than any of the other faculty members. "He began coming into the office and winking at me, calling me 'good looking.'" Father Lopez would have REDACTED type papers, correct tests and do personal correspondence for him. In fact, he gave REDACTED a typewriter to use at home so that she could be his "personal little secretary." She was happy and honored to do this because Father Lopez was well-liked by all of the student body and was moderator of several school clubs and the soccer coach.

In May of 1964 during REDACTED spring break, Father Lopez invited her and a couple of REDACTED brothers and sisters to go to Balboa Beach with him. Of course, there were no problems with REDACTED parents since he had previously established a close relationship with REDACTED father through their interest in sports. Mr. and Mrs. REDACTED were most willing to grant permission for the children to go to the beach with "Father Joe" since he was a more than frequent visitor to their

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home for dinners and sports telecasts. It goes without saying that this family was totally incapable of competing with a predator's tactics. Father Lopez ensconced himself into the family hierarchy through the relationship of REDACTED father. While REDACTED mother was devoutly and strictly religious, REDACTED father was not of that same vein and Father Lopez exploited that dichotomy thereby further protecting his true motives for gaining access to the family.

After having arrived at Balboa Beach and setting up for a day of sun bathing and picnicking, Father Lopez isolated REDACTED to go on a ride to "check" a beach house for some friends of his. He only asked REDACTED to go with him and told the rest of the group to remain there and that they would be back in a short time. Once at the house he invited REDACTED in and asked her if she wanted something to drink. REDACTED accepted and Father Lopez got some glasses out and a bottle of vodka. He poured vodka in both of the glasses and prior to this time REDACTED had never had any liquor. After Father Lopez had consumed the drink, he came over moving close to REDACTED and began to hug and kiss her. Father Lopez then began to French kiss and rub REDACTED all over her body. Father Lopez only had a pair of swimming trunks and a tee shirt on and at that point he opened his trunks and pulled his penis out and took REDACTED hand, placing it on his penis and asked her to rub him. Father Lopez began rubbing REDACTED breasts and her vagina. REDACTED recalls these incidents with the deepest feelings of hurt and pain;

"This sexual conduct was exploitive and premature and with a PRIEST . . . I did not know what to do or what to think. My brain raced through a whole variety of emotions and feelings. I believe I became numb and did not know what to do. We stayed there for about an hour, then returned to our group on the beach. While driving back to the beach, Father Lopez told me 'This is our little secret,' that I was his own little private secretary and princess, and that I was so special. He informed me that I should not tell anyone about us. If word got out it would ruin him and his position in the priesthood. Being that he was a priest, a teacher and someone I looked up to, I decided the best thing I could do was not tell a soul."

Perhaps most tragic in recalling these incidents was the manner in which Father Lopez manipulated REDACTED psyche. He told her that because God had blessed their relationship so much that it was allowable to express their love sexually. While it would be normally wrong for people to be so intimate with each other outside of marriage, it was okay for REDACTED and Joe because God understood and God made her so special and so spiritual. In becoming a woman, and a holy one at that, God had made REDACTED irresistible to Joe Lopez and God understood and blessed their intimacy. Coming from a priest this was a highly intense and powerful message. The net result

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of this chilling mental abuse was that ^{REDACTED} vacillated from believing she was some form of evil temptress to the precious object of God's love through one of his priests, Joseph Lopez. This would force ^{REDACTED} to go to extremes to protect the illicitness of the relationship, its anonymity and the whereabouts of her sexual encounters. ^{REDACTED} would regularly lie to her parents in order to hide the numerous times she met Father Lopez. The sexual abuse occurred in a variety of places, including the high school, church rectories, motels and in cars.

After the Balboa Beach incident, Father Lopez embarked upon a course of stalking, harassment, augmented by physical fondling, French kisses, and offensive statements such "I love you and can't wait until we can get together again little princess, I'll call you later." His calls to ^{REDACTED}; home increased, utilizing the ruse of having a rectory secretary named ^{REDACTED} at home "so none of the family members who would answer the phone would know I was talking to Father Lopez." They, of course, thought the call was coming from school and entirely appropriate.

In the summer of 1964, ^{REDACTED} began a part-time job at the San Gabriel Community Hospital. On Saturdays and Sundays, Father Lopez would call ^{REDACTED} at work and try to arrange for a time for the two of them to get together. "On several occasions he would ask me to walk across the street and meet him at San Gabriel High School" where he would proceed to sexually abuse and fondle ^{REDACTED}. She remembers that during most of these occasions he was wearing his black cassock, his priestly garb and black pants with his zipper open and his penis hanging out. He would move ^{REDACTED} hand up and down on his penis and ask her to rub him.

Several incidents ^{REDACTED} recalls in specific detail:

"On some occasions he would have me come over to the Rectory and then another occasion he designed for us to have contact was for him to give me a ride to work on Sunday morning to the hospital. He said Mass early on Sunday morning at the Sacred Heart Retreat House in Alhambra, CA for the nuns who resided there. After 6:00 a.m. Mass, he would come over to my house and pick me up for work. He told my parents that he would be happy to give me a ride to work on Sunday because he was right in the neighborhood. So after Mass, he would come and pick me up and drive to a private drive which is Lorain Road in San Marino, CA. He knew the good spot where people could not see us. He would pull off to the side of the road and park. This was another occasion where he would engage in sexual contact with me. Then he would take me to work at the hospital. My parents thought I was leaving early and that he would drop me off at

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church so that I could get to Mass before going to work."

As the sexual abuse escalated, so too did the stories to fabricate reasons for ^{REDACTED} and Father Lopez to be together. On many occasions ^{REDACTED} parents were told that she was babysitting for his friends and she would go off with him to some fictitious location. The first time that this occurred, Father Lopez actually drove her to a liquor store where he purchased a bottle of vodka and a bottle of orange juice and then headed for a motel he knew in Arcadia, California. Once in the hotel, ^{REDACTED} at age 17, was violently and forcibly raped. At this point, it is best that ^{REDACTED} own words express her revulsion.

"He began to take off my clothes and I was so frightened he was filled with liquor and acted like a wild man. He stole my virginity. I had never had anyone touch me before him. I saw the traces of blood on the sheet and it scared me. I did not know what that meant (due to the fact that my sexual education was nonexistent). The offense was RAPE. He drank, almost the whole 5th of vodka during the evening. He told me 'Don't worry. I won't get you pregnant; I'll pull out', and he would ejaculate all over me. I hated it. It made me feel dirty. He told me how pretty I was, how much he loved me, and how special our relationship was and that it was our little secret and not to share it with anyone. We stayed at the motel until almost midnight. There was something about it. I went home, acted like nothing happened, did not tell a soul, and waited for my period to come because due to lack of information I did not know or understand sexuality. I was scared to DEATH."

Between the time ^{REDACTED} was a sophomore and the time she graduated from San Gabriel Mission High School, the abuse escalated in its frequency and character. Sexual intercourse became a regular event every few weeks. After graduation, the stalking, daily telephone calls and requests to meet continued at work and at home. In 1968, after graduating from Pasadena City College, ^{REDACTED} wanted to get away from Father Lopez and began attending Gonzaga University in Spokane, Washington. Telephone calls and continuous written communication, cards came every week and on occasion Father Lopez would enclose cash. After a short period at Gonzaga University, ^{REDACTED} decided to move back to San Gabriel, California as she waited to be accepted at Eastern Washington State College. By that time, Father Lopez had left the priesthood and was living in an apartment with two other priests who had left in Alhambra, California. He continuously tried to pursue sexual contact with ^{REDACTED} but it was during this time when she began to object to his attempt at sexual contact. By that time, Father Lopez was living with his sister ^{REDACTED} in northern California. In ^{REDACTED} own words:

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"He was very angry because I no longer would go along with his sexual contact. I received threatening phone calls from him. He wanted me to return all the jewelry he had given me and all I wanted to do was to stay away from him, not talk to him and just forget the whole thing ever happened. In order to accomplish this I started dating a classmate of mine from high school. I never dated in high school because of my relationship with Fr. Joe. I dated for 3 months and then I was accepted into the Dental Hygiene Department at Eastern Washington State College and I moved back to Spokane, WA. I was dating REDACTED and so he moved to Spokane with me and we became engaged and got married 6 months later. All of this happened in an attempt to remove Fr. Joe from my life."

The platform of childhood sexual abuse created an impossible set of circumstances for a new marriage to thrive. REDACTED were divorced after seven years and two children. Shortly after being separated from REDACTED, Father Lopez started calling REDACTED. He had married by this time and had two children of his own. He continued to have contact with REDACTED parents and got together with them when he visited southern California. Marriage and two children of her own did not deter Father Lopez from seeking additional sexual conquests. He traveled to Spokane after telling REDACTED that he was coming with his son to visit members of her family. Father Lopez arrived in Spokane without his son, but was visibly angry with REDACTED when he realized that REDACTED had a friend at home along with her two children.

"His overtures for a sexual encounter were unsuccessful. I thought it was strange that he came to visit in Spokane in the first place, but since he was married I thought maybe he would not have the sexual intentions. However, I was WRONG and when he figured out that I would have no part of him, he left frustrated and angry and I have not heard or seen him since. I have remained irrationally afraid of him as my offender for years."

Why the Claretians and the Archdiocese of Los Angeles Are Responsible

But for REDACTED presence at San Gabriel High School, but for the presence of an ordained priest in the name of Joseph Lopez teaching at San Gabriel High School, but for the relationship between Father Joseph Lopez, the priest, and REDACTED family, but for the presence of REDACTED as a faculty assistant, the sexual abuse would not have occurred. That must be the framework of any equitable analysis as to whether or not any pastoral duty is owed to REDACTED.

A bishop, and more particularly, a provincial, has a grave moral, canonical and legal

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obligation to safeguard the spiritual welfare of all of those who are under his care. These include catholics who have actual residence in the diocese as well as those who may be simply staying there temporarily. It would certainly include a young, 16-year-old girl who was attending an archdiocesan high school administered and staffed by the Claretians. As a product of the catholic school system, and coming from a deeply religious family, ^{REDACTED} had considered all clergy, including Father Joseph Lopez, the earthly representatives of God.

Without going into detail concerning the state of knowledge or suspicion that the provincial had with regard to the propensities of Father Joseph Lopez, suffice it to say other members of the Claretians, particularly those priests working in the same environment, knew, ignored, or failed to appreciate the existence of overt flirting and sexual harassment. The individuals that work with Father Joseph Lopez and that lived with him frequently provide a rich compendium of memories which detail what was known or should have been known by various members of the hierarchy of the Claretians.

Some pertinent questions arise. What is Joseph Lopez's precise canonical status? If he was not laicized, why not? What was the reason for his departure from the priesthood? Where records kept of any complaints received about Father Lopez or observations made by any of his contemporaries?

At the present time, priests or former priests accused of sexual offenses, fall normally into two basic categories: Diocesan priests and religious priests. In the case of a diocesan priest, that would include those priests officially attached to a diocese and under the primary authority of the bishop of that diocese. With regard to religious priests, those priests are normally members of a specific religious order (here, the Claretians) that are officially attached to the order (members of the community) and subject to the primary authority of the superior, or in this case, the provincial of that order. It would be my opinion, which I believe is concurred in by the parties, that the case of order priests functioning in the diocese in the same form as a diocesan priest, the bishop of that diocese (here, Cardinal Mahoney and his predecessors) has a broad range of authority over these religious priests in respect to anything that has to do with the "care of souls" or pastoral work with lay persons, religious or other priests. Generally speaking, religious superiors have authority over religious priests in matter involving internal discipline. If an incident of abuse took place and the perpetrator was a religious priest, the nature of the local bishop's authority and scope is important to note.

In a diocese, the bishop has authority over the activities of all diocesan priests and over all religious priests and priests of other dioceses in any matters that pertain to the care of souls within the jurisdiction of that diocese. All priests make a promise of obedience to their own

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proper superior (diocesan bishop or religious superior) and to his successors. This obedience extends to all things and is not limited to activities commonly associated with the exercise of priestly powers such as sacramental functions, worship services, etc. This promise of obedience is the foundation of the bishop's authority over all activities. As was noted in Canon Law Digest Vol. 1, page 114, referencing the letter of Pope Benedict X. V. dated October 15, 1921,

" . . . The scope of the bishops authority can by no means be limited to strictly religious matters but extends to questions of whatever nature which concerns directly or indirectly the welfare of the church and the salvation of souls."

The Power Imbalance

Sexual contact between clergy and minor parishioners does not fall within the category of voluntary relationships between individuals. There is a disproportionate distribution of power in the clergy-parishioner relationship and this is the precise reason why REDACTED and her family have been so grievously injured. Father Joe Lopez was one of God's representatives on earth, was a leader in the high school community and a mentor figure for REDACTED siblings due to his positions at San Gabriel Mission High School. Within a few hours of gaining permission to take REDACTED and some of her family members to Balboa Beach, Father Lopez had succeeded in getting REDACTED severely intoxicated and proceeded to sexually exploit her in a most intrusive and outrageous manner. The widely used analogy characterizing the priest as the shepherd and the parishioners as his flock attest to the disproportion of power between the two parties. The priest is the congregation's leader, and in this case the religion instructor at the Catholic High School, thus his position at the altar; while the parishioner is the following, who places his respect and trust in the clergyman. Father Lopez's role as emotional and spiritual leader of various parishioners with whom he had contact also heightens the power imbalance making a parishioner more vulnerable and dependent and further inhibiting any ability to freely consent to sexual contact or reporting of the same.

Many people victimized by priests do not speak out against their abuser because they fear that doing so would reek catastrophic harm on their reputation as well as their family. In the case of REDACTED she also holds this fear. Many claimants are cajoled or threatened into secrecy either by the exploiting priest or his supervisors or others close to the perpetrator.

REDACTED has been severely embarrassed and threatened by the years of sexual abuse which was not of her doing. She was a teenager who worked for her high school to offset tuition obligations. By accepting that job her life was changed forever. By going forward with the reporting of Joseph Lopez, REDACTED has been forced to live with the fear that somehow her future psychological state may be in jeopardy, she has been forced to live with the fear that additional

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fractures in the extended family or other loved ones may occur if the truth becomes public and is pressed. This is reprehensible. The fact that the Claretians can blithely say that they have no responsibility to REDACTED puts her situation in painful clarity. Had Father Lopez not been placed in such a position as to cajole young girls there would have been no reason for REDACTED to come in contact with him. That is the tragedy here. Had the Claretians properly supervised Father Lopez's contacts with minors, this particular situation with REDACTED REDACTED never would have arisen.

The Relationship of a Priest to His Bishop or Religious Superior

The canonical relationship of a priest or cleric to his bishop or religious superior is a key area in pursuing abuse cases in the civil courts. Before continuing, it must be pointed out that the vast majority of abused Catholics resort to civil action not because they have animosity toward the Church but because they have been frustrated in their attempts to receive due concern and justice from the Church's own internal system.

If it is obvious that a cleric did indeed sexually abuse a person, then the next question that comes up is the responsibility of his superiors for his actions. In most cases this question is referred to a cleric's bishop, the one ultimately responsible for him, and his more immediate superiors such as his pastor or the rectors and directors of the seminary wherein he studies or has studied. In spite of what the civil law or civil agencies may consider being the relationship of a priest to the Church and/or to his bishop, the canon law and general discipline of the Church is fairly clear on the fact that it is a very close, all inclusive relationship.

The Catholic Church is hierarchical in its power structure. All power rests with the Pope. In each diocese, the bishop possesses complete power within the limitations of the law. He must exercise this power in union with the pope and according to the law. Those who have positions inferior to the bishop in the diocesan administration act, for the most part, on delegated power and not on their own. Thus vicars etc. are responsible to the bishop and he in turn, is responsible for their actions.

Sources from the Code of Canon Law

- The bishop alone has the right to select a man for ordination to the priesthood (canons 1026-1032). Before doing so the bishop is to make sure that the candidate has all of the required qualities for the priesthood. These include the presumption, based on concrete knowledge and recommendations, that the candidate will be able to lead a celibate life.
- *"He is to admit to the major seminary only those whose human, moral, spiritual and intellectual gifts, as well as physical and psychological health and right*

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intention, show that they are capable of dedicating themselves permanently to the sacred ministries." (canon 241, 1.)

- *The bishop is to give a priest the remuneration that befits his condition. "Suitable provision is likewise to be made for such social welfare as they may need in infirmity, sickness or old age." (canon 281.)*
- *In his diocese a bishop possesses the fullness of power, subject to the Holy See. "In the diocese entrusted to his care, the diocesan bishop has all the ordinary, proper and immediate power required for the exercise of his pastoral office except in those matters which the law or a decree of the Supreme Pontiff reserves to the supreme or to some other ecclesiastical authority." Canon 381, 1.)*
- *"He is to have special concern for the priests, to whom he is to listen as his helpers and counselors. He is to defend their rights and ensure that they fulfill the obligations proper to their state. He is to see that they have the means and the institutions needed for the development of their spiritual and intellectual life. He is to ensure that they are provided with adequate means of livelihood and social welfare, in accordance with the law." (canon 384.)*
- *"The parish priest [pastor] is the proper pastor of the parish entrusted to him. He exercises the pastoral care of the community entrusted to him under the authority of the diocesan bishop whose ministry of Christ he is called to share . . ." (canon 519.)*
- *"without prejudice to canon 682 [which deals with the right of a religious superior to present a member of his order to a bishop for appointment as a pastor] he appointment of the office of parish priest belongs to the diocesan bishop, who is free to confer it on whomsoever he wishes . . ." (canon 523.)*
- *"The diocesan bishop freely appoints an assistant priest . . ." (canon 547.)*
- *"In imposing penalties on a cleric, except in the case of dismissal from the clerical state, care must always be taken that he does not lack what is necessary for his worthy support. 2. If a person is truly in need because he has been dismissed from the clerical state, the Ordinary is to provide in the best way possible." (canon 1350, 1, 2.)*

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Sources from the documents of Vatican Council II

- *"Priests, though they do not possess the highest degree of the priesthood, and although they are dependent on the bishops in the exercise of their power, nevertheless they are united with the bishops in sacerdotal dignity . . . Priests, prudent cooperators with the episcopal order, its aid and instrument, called to serve the People of God, constitute one priesthood with their bishop although bound by a diversity of duties. Associated with their bishop in a spirit of trust and generosity, they make him present in a certain sense in the individual local congregations, and take upon themselves, as far as they are able, his duties and the burden of his care, and discharge them with a daily interest . . . On account of this sharing in their priesthood and their mission [with the bishop], let priests sincerely look upon the bishop as their father and reverently obey him. And let the bishop regard his priests as their co-workers and as sons and friends, just as Christ called his disciples now not servants but friends." The Dogmatic Constitution on the Church, Nov. 21, 1964, n. 28 (the Latin title of this decree is Lumen Gentium).*
- *"Established into the order of the priesthood they [the priests] can be co-workers of the episcopal order [with the bishops] for the proper fulfillment of the apostolic mission entrusted to priests by Christ . . . wherefore the priesthood . . . is conferred by that special sacrament; through it priests, by the anointing of the Holy Spirit, are signed with a special character and are conformed to Christ the priest in such a way that they can act in the person of Christ the Head." Decree on the Ministry and Life of Priests, Dec. 7, 1965, n. 2*
- *"Therefore on account of this communion in the same priesthood and ministry, bishops should regard priests as their brothers and friends and should be concerned as far as they are able for their material and especially for their spiritual well-being. For above all upon the bishops rest the heavy responsibility for the sanctity of their priests. Therefore they should exercise the greatest care in the continual formation of their priests. They should gladly listen to their priests, indeed consult them and engage in dialogue on those matters which concern the necessities of pastoral work and the welfare of the diocese." ibidem, n. 7.*
- *"Bishops should always embrace priests with a special love since the latter to the best of their ability assume the bishop's anxieties and carry them on day by day so zealously. They should regard the priests as sons and friends and be ready to listen to them. Through their trusting familiarity with their priests they should strive to*

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promote the whole pastoral work of the entire diocese . . . With active mercy bishops should pursue priests who are involved in any danger or who have failed in certain respects." Decree on the Pastoral Office of Bishops in the Church, Oct. 28, 1965, n. 16.

- *"All priests, both diocesan and religious, participate in and exercise with the bishop the one priesthood of Christ and are therefore constituted prudent cooperators of the episcopal order . . . The relationships between the bishops and the diocesan priests should rest most especially upon the bonds of supernatural charity so that the harmony of the will of the priests with that of their bishop will render their pastoral activity more fruitful." Ibidem, n. 28*
- *"Toward his priests the bishop shows himself a teacher, a father, a friend and a brother – rather than as one who presides over them and acts as a judge – being ready with kindness, understanding, pardon and help." Directory on the Pastoral Ministry of Bishops, 1974, n. 107.*

The Responsibilities of a Bishop Toward the Persons in His Diocese

The canons of the Code and the documents of Vatican II as well as other related documents (canonical and theological) all refer to the relationship of the bishop to his diocese in all-encompassing and intimate terms. This would, of course, include order priests at Archdiocesan high schools. The bishop has vast powers within his diocese. His overall obligation is that of the spiritual nurture of all people entrusted to him, both clergy and laity. This is made clear in the canon which describes the meaning of a diocese:

"A diocese is a portion of the people of God, which is entrusted to a Bishop to be nurtured by him, with the cooperation of the presbyterium, in such a way that, remaining close to its pastor and gathered by him through the gospel and the Eucharist in the Holy Spirit, it constitutes a particular Church . . ." (Canon 369)

Note: Presbyterium is a Latin phrase which means the priests of the diocese.

Within his diocese the bishop has almost complete power with regard to the governance of the people. This power is exercised within the context of the overall authority of the Holy Father. It is also qualified by certain areas of power or certain acts of jurisdiction or power which may be reserved to the Pope or to some other Church authority. *"...all of the ordinary, proper and immediate power required for the exercise of his pastoral office, except in matters which the law or*

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a decree of the Supreme Pontiff reserves to the Supreme or to some other ecclesiastical authority. " (Canon 38i)

The bishop of a diocese possesses executive, legislative and judicial power. He can enact legislation for his diocese within the parameters laid out in the general law of the Church. He is the primary judge of the diocesan court or tribunal although for all practical purposes this role is held by another, called a judicial vicar.

Concomitant with the powers of the diocesan bishop the law also sets forth a great deal of responsibility towards those entrusted to him. Although he acts through his priests as well as others who fulfill various diocesan offices, the bishop has primary responsibility and obligation in all areas.

"In exercising his pastoral office, the diocesan bishop is to be solicitous for all Christ's faithful entrusted to his care, whatever their age, condition or nationality., whether they live in the territory or are visiting there . . . " (Canon 383, par 1)

"The diocesan bishop is bound to teach and to illustrate to the faithful the truths of faith which are to be believed and applied to behavior. He is himself to preach frequently. He is also to ensure that the canons on the ministry of the word, especially on the homily and catechetical instruction, are faithfully observed, so that the whole of Christian teaching is transmitted to all." (Canon 386, par. 1)

The bishop is obliged to visit all of the people of the diocese. This is done by being with them to celebrate the Mass (canon 389) and by visiting the parishes (canon 396, par 1).

Although a parish, the local entity to which Catholics belong as members of the Church, is normally under the authority of a priest as its pastor, the canons state that the pastoral care of the parish (i.e., the people in the parish), is under the authority of the bishop who entrusts the care of the parish to a priest (canon 515, par. 1).

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The section of the Code dealing with the obligations and rights of all of the faithful (Title I, canons 208-231) refers to a number of rights enjoyed by the faithful in general (clerics and laity) and the laity in particular. Whenever the Code uses the term "Pastor" in the context of these canons, it refers not to the priest who is the pastor of a parish, but to the bishop. Here we see then, more of the bishop's responsibilities towards his people.

Canon 213 is a kind of general canons which states "*Christ's faithful have the right to be assisted by their pastors from the spiritual riches of the Church, especially by the Word of God and the sacraments.*" The particular reference here is to spiritual matters. However, the spiritual riches include the right to assistance in time of need and quality pastoral care from pastoral ministers, especially those who are ordained (priests and deacons) among other things.

Another canon refers directly to the right to a good reputation and the right to privacy and says that "*No one may lawfully harm the good reputation which a person enjoys, or violate the right of every person to protect his or her privacy,*" (Canon 220). Again, the safeguarding of this right devolves principally to the bishop. This leads to another canon which specifically states that everyone has the right to have his or her rights vindicated and have the right to defend their rights (canon 221, par. 1). Basically this means that every member of the faithful has the right to due process to ensure that the rights set forth in the Code and other places in Church law actually have meaning in real life.

The book entitled The Directory on the Pastoral Office of Bishops is a kind of handbook or compilation of bishops' duties taken from all of the documents from Vatican II. It sets forth in detail the obligations and responsibilities of bishops.

REDACTED Today

Perhaps the most tragic event suffered at the hands of Father Joe Lopez was the fact that REDACTED truly believed that his initial interest in her was pure. That his warmth and attention was the product of her doing a good job. The gradually devastating realization of his abuse of power and sexual abuse culminated by beginning this 5-year odyssey of accountability. Perhaps the most relevant effect of sexual abuse is a person's denial or a psychological repression of memory of or the importance of the experience as a reaction to the overwhelming nature of the acts themselves. The psychological accommodation is a process of mental coping whereby a child literally blocks the experience, and/or the associated emotions out of her mind in order to protect the developing psyche from being completely overwhelmed. It is clear in talking to REDACTED that

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she underwent a significant developmental delay as a result of the conflict, frustration and confusion as the abuse was occurring.

This psychological phenomena has caused victims of child sexual abuse to either repress entirely or partially their memory of abuse, or to deny or minimize the effects upon them and to substitute more positive emotions to highly toxic events. Thus, not only is there often a psychic numbing, an unconscious avoidance of memories of abuse which prevents the victims from knowing of the abuse and its concomitant effects, but this effect upon the victims has been caused by the very perpetrator himself. REDACTED over the years has come to realize how badly she was damaged at the hands of Father Joseph Lopez and the Claretians. It was a deep and disturbing revelation to her, the pain of which she carries to this day. As REDACTED began to reveal for the first time what had happened to her, she was overwhelmed by a sense of burden, shame and extreme depression. Realizations that these horrific acts of sexual abuse were committed by a Roman Catholic priest by whom she had been befriended and had previously held in high esteem, had further exacerbated her present grief in coming forward with this claim. (See reports of Drs. REDACTED as well as a report from a certified polygraph examiner). Seemingly endless discussions of the incidents with various lawyers, therapists, bishops and others have further shaken her confidence that there will not be any accountability and compensation for the harm she has suffered. The betrayal and abuse of power by Father Lopez prevented REDACTED from enjoying a normal adolescence. Obviously, male authority figures present a significant problem for REDACTED today. A trauma that REDACTED suffered as an adolescent has effected all aspects of her life and has, over the years, caused a colossal drain on her energies - physical, intellectual, psychic and spiritual. As a result of years of therapy, REDACTED was diagnosed as suffering from post traumatic stress disorder as a direct result of the sexual assaults committed by Father Joseph Lopez beginning in her sophomore year of high school. This kind of overriding, comprehensive assault translates into lost opportunity, a condition that is indeed difficult, if not impossible, to measure, but nevertheless warrants acknowledgment.¹

The sexual and spiritual assault of a teenager leaves no visible scars on its victims. Unlike a beating, it leaves no bruises. Unlike a stabbing, no oozing wound occurs. The survivor only appears unblemished. In fact, they are damaged by a violation of trust more profound than any violation of body. The contrast between the Claretians response of no responsibility and the daily life of a Catholic survivor of sexual abuse is striking. On March 11, 1995, in a religious column

¹While it has been previously stated that this is not a prelude to litigation, and not withstanding the recent ruling by the California Supreme Court to deny certiorari in the *Kristin Howard*, *Debbie Reynolds* and *Rita M.* cases, there are some (I suspect few) theories of liability that have yet to be tested in the California courts centering on civil conspiracy.

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in the *Times Union* out of Albany, New York, Father REDACTED summed it up best:

"Most priests and many bishops still don't get it: They don't realize how terrible it is to be abused by a priest. They don't comprehend how the faith of a victim's family is shattered. They don't understand what each new revelation does to the image of the priesthood. They cannot admit the need for public and collective rituals of penance."

The "relationship" with Father Lopez caused profound alienation and isolation. Its illicitness consigned REDACTED to unhealthy secrecy and pseudo-maturity. She retreated from her parents and siblings. "Although as a teenager I did share strong and in some cases long lasting, friendship with my peers, I did not date and lived with tremendous fear, anxiety and loneliness that this secret would be found out." Her day to day existence as an adolescent was burdened with a strong sense of separateness and was hardly carefree or lighthearted. There was always a part of REDACTED and her experience with Father Lopez that had to be kept clandestine. Thus, the development of deep trust and intimacy was and has been severely compromised. Sadness and depression became REDACTED regular companions; that she had been violated by a representative of God made trust of anyone, on any level, virtually impossible.

As can be readily observed by REDACTED current psychotherapy, the wounds of the past accompanied her into adulthood and created monumental barriers to intimacy. On a daily basis, she confronts her overwhelming need to control. REDACTED attempts to control emotions in situations in which she finds herself play havoc with personal relationships and make spontaneity and intimacy extremely difficult. Sometimes she feels jumpy and on edge; sometimes she is plagued with flashbacks of absolutely sickening fear.

Examining the effects of spiritual assault is even more difficult. There exists plenty of information on the treatment of sexual abuse of children. There exists ample documentation of sexual abuse perpetrated by Catholic clergy. However, there is almost no literature, academic or otherwise, on how survivors of abuse by clergy are to reconnect spiritually. What happened to REDACTED as an adolescent made spirituality a struggle instead of a gift from God. In reviewing hundreds of cases of clergy sexual abuse I can attest that the struggle that survivors go through is fraught with difficulty and mystery. For healing to take place, this struggle must be lived through, however loud the soul's screams, however great the feeling of spiritual anomie. REDACTED has lived with hopelessness and despair, becoming in her own family a spiritual fugitive. There is no place to run, no place to find solace and safety. The soul, that sanctuary within that should be a place of refuge and where one can experience religious centering, feels miasmatic and contaminated by the unraveling of power between a priest and a young girl. No child should

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shoulder that burden. It speaks of too devastated a spiritual landscape. I commend to you the reading of *Walk in the Light: A Pastoral Response to Child Sexual Abuse* and ask you to compare that response suggested by the bishop's committee to your brief letters directed to REDACTED REDACTED As I mentioned earlier, lost opportunity warrants acknowledgment. In fact, lost opportunity such as I have described on behalf of REDACTED demands acknowledgment, for it is in being listened to and being heard that healing and recovery and made possible. What I am asking for in the form of pastoral care pales in comparison to what has been taken from REDACTED REDACTED. In no way does it palliate what was perpetrated upon her, but it would afford a degree of closure to a painful part of her history and enable her to meet therapeutic spiritual and educational needs and responsibilities with less financial aggravation. To date, REDACTED has expended in excess of REDACTED, all in an effort to recover her lost innocence taken from her by Father Joseph Lopez. We ask that this figure be used as a starting point for a reasonable pastoral response as well as providing for continued therapy for a reasonable period of time.

In all of this there has been no mention of the effect this abuse has had on REDACTED husband and their family. I can tell you that no facet of the family dynamics has been spared this misery. It is their daily companion and represents a loss that cannot be ignored.

In every situation involving sexual abuse there is always a problem of objective evaluation. One aspect of REDACTED situation is clear and that is that words really do fail to describe the isolation, loneliness and pain of sexual abuse by a mentor figure. I must assume you have no personal reference point to such a tragedy. REDACTED however, lives this tragedy on a daily basis. I do believe there are some maxims that everyone can agree on: The exploitation of an adolescent by another person in the family or one who stands before the child in a parental role invested with significant intimacy and authority is a crime of immense proportions.

I hope we can work together towards a resolution of these difficult circumstances. A significant part of REDACTED healing besides what I am asking for as pastoral care is addressing the grave matters of accountability and discipline. Thus, I ask that the Archdiocese of Los Angeles share responsibility of REDACTED pastoral needs as it relates to her sexual abuse.

My concern is that we begin a dialog and in order to dialog we must meet. REDACTED REDACTED as well as myself, are all prepared to travel to your offices in Los Angeles to begin this process. We would, of course, welcome the presence of representatives of the Archdiocese

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of Los Angeles. Please call me after you have had an opportunity to digest this material so that we can schedule a mutually convenient meeting. Thank you in advance for your anticipated cooperation.

Sincerely yours, ^{REDACTED}
REDACTED

REDACTED

Enclosures

Via UPS Next Day Air

cc: Roger Cardinal Mahoney,
Archbishop of Los Angeles - *Via UPS Next Day Air*
Fr. Timothy J. Dyer, Vicar for the Clergy,
Archdiocese of Los Angeles - *Via UPS Next Day Air*
REDACTED

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COPY

Clergy Misconduct
Suspected Child Abuse

Call from Bishop Skysdad, Spokane, WA to Bishop Zavala who called REDACTED
REDACTED

The victim and her husband came to see Bishop Skysdad in Spokane. REDACTED
reported the following:

- Victim: REDACTED
Student 1964 (100 incidents)
- Perpetrator: Fr. Joseph Lopez
Claretian
- Bishop's Call: July 8, 2002
- Call to REDACTED July 9, 2002 - REDACTED called and left a tape message to return
her call. Her REDACTED
- Previous contact: In 1994-96 REDACTED contacted Fr. Tim Dyer. She felt that she was
not responded to appropriately she reported. Mr. REDACTED
name was mentioned in her conversation with Bishop Skysdad.

REDACTED

REDACTED will wait for the victim-survivor's return call.

REV. JOSEPH LOPEZ, CME
Received 1972

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REDACTED

Archdiocese of Los Angeles

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West Ninth
Street

Los Angeles
California
90015-1194

REDACTED

REDACTED

Diocese of Spokane
West 1023 Riverside Avenue
Post Office Box 1453
Spokane, Washington 99210

FAX: REDACTED

Dear ^{REDACTED}

Thank you for your FAX of yesterday that I have referred to our Vicar of Clergy, Monsignor Timothy Dyer. I have personally conveyed your feelings to Tim and asked him to contact you personally since you are dealing with ^{REDACTED} personally.

Thank you for your concern.

Sincerely,
REDACTED

FAXED
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