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Lawyer who fought for documents' release says discipline a good first step

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LA abuse cases

Friday's announcement that a retired Los Angeles cardinal and an auxiliary bishop have been disciplined because of their roles in covering up priests' sexual abuse of children is a step in the right direction, says a lawyer long involved in representing victims -- but, he adds, the discipline is only a step, not an ending.

Attorney Tony DeMarco said Friday the discipline was forced by the court-ordered release of documents that detailed the conduct of church leaders, and a careful reading of those documents will show that some leaders who put children at risk "are still in place."

The release of approximately 12,000 pages of documents detailing the sexual abuse of children by priests and cover-up by archdiocesan officials was a long-fought victory for DeMarco, who pursued release of the documents, which the archdiocese fought to keep sealed for 10 years. He has represented more than 400 victims of abuse, some of whom were part of Los Angeles cases.

An agreement by the archdiocese to release the documents was part of a 2007 settlement of 508 cases for $660 million. But immediately, the archdiocese took legal steps to block the release, a process that was complicated and delayed when a retired judge who was hired to review the documents recused himself from the process.

The final barrier was overcome in recent weeks, when an appeals court rejected an attempt by the archdiocese to have names redacted from the documents.

When all legal recourse had ended, Archbishop Jose Gomez released a statement [1] Thursday that he had informed Mahony "that he will no longer have any administrative or public duties." He also relieved Auxiliary Bishop Thomas Curry, who had served as Mahony's vicar for clergy, of his duties as regional bishop of Santa Barbara.

The statement, in one sense, sets a new standard for dealing with those who covered up abuse by transferring priests from parish to parish and, in some instances outlined in the Los Angeles files, out of country. In Philadelphia, for example, where two grand juries have issued scathing reports on the handling of the crisis by former cardinals, no disciplinary action has been taken and there has been no critical assessment by other church authorities of how the crisis was handled.

Gomez's statement "is a positive step," DeMarco said, "but frankly, there's nothing new that [Gomez] learned yesterday that he didn't know for a long time. His reaction is clearly bowing to public pressure."

When Gomez took office in 2011, DeMarco said lawyers were regularly in court, seeking the documents regarding Mahony's and Curry's involvement in the sex abuse scandal. That wasn't a secret matter, he said.

DeMarco said he thinks Gomez "should be reading through the files carefully and looking at the leadership that

is still in place that in the past placed the reputation of pedophiles and the church above the safety of children."

DeMarco, 43, has spent a large portion of his professional career dealing with sex abuse cases. He calls it "a life-changing experience," one that cost him his faith.

"I was Catholic when I started this," he said. "I went through RCIA when my oldest child was on the way. She's now 13."

But after working on the files of abusive priests and "taking depositions, not from the perpetrators themselves but from fellow priests around them who were clearly lying about fellow priests they knew to be pedophiles, I lost it. I could not bring myself to go to Mass," he said, because he couldn't be certain if the priest presiding at the liturgy was one of those who knew the truth of what was occurring in the archdiocese.

DeMarco said he now works on cases involving other denominations and institutions, including schools. But he said the crisis in the Catholic church is far more massive than any other he's encountered: "There are a whole lot more priests, and the top-down structure has a lot more command control."

The longevity of the abuse crisis within the church is also unusual, he said. "I've worked on cases from the 1930s. ... It's been going on so long. There's such a culture of acquiescence, silence and protecting pedophiles that it's going to take a long time and lot more of these sorts of drastic measures to root out the cancer."

He credits the church for putting in place protective measures but said that as far as he can tell, most of the efforts are to educate the laity and church volunteers.

"That's a great aim, but it wasn't the church volunteers and the laity who transferred priests around long after knowing these men were child molesters," he said. "It was cardinals, archbishops, vicars for clergy and senior priests who were involved in this."

They were the ones, he said, whose "decisions were consciously made to protect the church and the clergy instead of kids."

DeMarco said he would like to see a thorough internal review in Los Angeles and elsewhere, "but I don't think the church by itself can do this. That's why the documents are important."

Mahony and Curry were publicly rebuked, he said, "not because of an internal review, but because what was known internally is becoming known externally. They are not capable of conducting an honest internal review to correct this problem. They're just not."

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