



St. Charles Catholic Church in San Carlos, Arizona is located in the San Carlos Apache Tribe's capital in southeastern Arizona. According to the Franciscan Province of St. Barbara, friars it has determined have been credibly accused of abuse ministered at churches on the reservation. (Elizabeth Hardin-Burrola)

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Seven Native American tribes in Arizona and New Mexico should soon receive official notice explaining how tribal members who are clergy sex abuse survivors can file claims against the Franciscan Province of St. Barbara in its Chapter 11 case now wending its way through U.S. Bankruptcy Court.

The [province](#), through its civil entity the Franciscan Friars of California, Inc., filed for [bankruptcy](#) protection Dec. 31, 2023, exactly one year after California's most recent "lookback window" for filing sex abuse claims closed. The province, which covers the western U.S., was facing 94 new abuse claims, most filed in California, Franciscan Fr. David Gaa, the provincial minister, stated in a court filing Jan. 8.

"To date, 59 current or former friars associated with the Debtor have been accused of childhood sexual abuse in the states of Arizona, California, Idaho, Missouri, New Mexico, Nevada, Oregon, Utah and Washington," attorneys for the Creditors Committee, which represents abuse claimants, said in court documents filed in May.

## **Franciscans' bankruptcy case**

Find information about the Franciscan Friars of California's bankruptcy case, including instructions on proofs of claim, on the website maintained by the religious order's claim agent, [Donlin, Recano & Company, Inc.](#)

The Franciscans' [list](#) of friars it has determined have been "credibly accused" of sexual abuse documents at least 25 friars with at least one ministry assignment in Arizona or New Mexico. Thirteen of those friars served at least one assignment on a Native American reservation or within a tribal community — the Colorado River Indian Tribes, Gila River Indian Community, Pascua Yaqui Tribe, San Carlos Apache Tribe, Tohono O'odham Nation and White Mountain Apache Tribe in Arizona, and the Mescalero Apache Tribe in New Mexico.

In addition, the Catholic Truth & Healing [website](#), published by "a group of archivists, historians, and concerned Catholics," states friars from the St. Barbara Province worked at the now closed [St. John's Indian School](#) in Arizona from 1915 to 1981. Three St. Barbara friars who have been credibly accused were assigned to St. John's, according to the province's list, The school enrolled students from several tribes and included a nearby church.



U.S. Bankruptcy Judge William Lafferty approved a two-month [public notice period](#) for abuse proofs of claim to be filed by July 19. "Sexual Abuse Claim Notice Packages" were mailed to the attorneys general of eight western states, as well as to sheriff's offices and a few other offices or agencies in 25 selected counties. Twenty-seven newspapers were selected to publish the "Sex Abuse Claim Notice" twice. However, more than half the counties and half the newspapers that received the packets and notices were in California.

None of the seven tribal governments in Arizona and New Mexico were sent the information, nor did nearby counties or local tribal or reservation border town newspapers.



A carved church door at St. Peter's Catholic Church in Springerville, Arizona, depicts a Franciscan friar holding a cross in front of Native Americans on one side and Spanish conquistadors on the other. (Elizabeth Hardin-Burrola)

The lack of public notice to the tribes was raised by NCR after a list of Native American ministry assignments on the Franciscans' Credibly Accused List was compared to Lafferty's order that authorized where the sexual abuse claim packages and notices were to be sent, posted and published.

NCR raised questions about the public notice with officials with the St. Barbara Province, attorneys for both the Franciscans and abuse claimants, tribal officials, and the four dioceses where those seven tribes are located — the Dioceses of Gallup, Las Cruces, Phoenix and Tucson.

The incomplete public notice disparity seemed particularly jarring amid the commitments U.S. Catholic bishops made in "Keeping Christ's Sacred Promise: A Pastoral Framework for Indigenous Ministry," [released](#) on June 14.

"The Church recognizes that it has played a part in traumas experienced by Native children," the bishops said in the document, which did not mention clergy sex abuse.

Citing the need for "healing and reconciliation" between Native communities and the church, the bishops offered four recommendations to achieve that goal: transparency, relationship building, listening and accountability.

Just days after the bishops' document was released and NCR posed those questions, an attorney for the Franciscans advised the court they would be requesting additional public notice for the seven tribes, along with an extended bar date deadline of Aug. 30.



Road signs point to St. John's Catholic Church and the now closed St. John's Indian School on the Gila River Indian Community near Phoenix, Arizona. (Elizabeth Hardin-Burrola)

In an email sent June 25, a spokesman for the Franciscans cited the desire "to ensure maximum notice and outreach to abuse survivors in Native American communities currently and formerly served" by the Franciscan Friars of California.

"While the original bar date was set by the Bankruptcy Court for July 19, 2024 - providing adequate time for survivors to file abuse claims - the Aug. 30th extension

will afford more time to all abuse survivors desiring to file a claim, and not just those in Native American communities being notified for the first time," the spokesman said.

The following day, attorneys for the Franciscans [filed](#) a document with the court, requesting the claims bar date be extended, and asking for additional public notice to the seven tribes, additional federal and county offices in Arizona and New Mexico, and advertising the notice in four tribal news publications: the Gila River Indian News, San Carlos Apache newsletter, the Runner News and the Fort Apache Scout.

However, until the court approves the extended bar date, the deadline for survivors to file sex abuse proofs of claim remains July 19.

One tribe, however, is not waiting for Judge Lafferty to approve an extension. After being contacted for comment by NCR, the Pascua Yaqui Tribe, which includes several communities in Southern Arizona, emailed its own notice to tribal members June 27.

Alfred Lopez Urbina, the tribe's attorney general, and the Pascua Yaqui Tribal Council, sent out a [five-page notice](#) that included information about the bankruptcy case and the proofs of claim filing process. The notice included information about six friars named on the St. Barbara Province's Credibly Accused List who had assignments at two churches within or near Pascua Yaqui tribal communities.

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One credibly accused friar cited by the Pascau Yaqui Tribe was Franciscan [Fr. Camillus Cavagnaro](#), who was at [neighboring San Xavier del Bac](#) — the renowned historic mission church outside of Tucson that draws thousands of tourists each year. Cavagnaro's ministry, according to the Franciscan list, included 60 years of assignments, mostly in Indigenous communities, with posts on three reservations in Arizona, one reservation in New Mexico, and a three-year stint in Pine Ridge, South Dakota, the tribal headquarters of the Oglala Sioux Tribe. Tribal officials said Cavagnaro was at San Xavier as recently as 2002-2005 and 2006-2007. He died in 2011.

"Our primary concern is to ensure that all Pascua Yaqui victims are given notice and the opportunity to receive the compensation and support they rightfully deserve,"

the statement said. "We understand that this process can be emotionally challenging, and we are committed to providing the necessary information and assistance. Taking the step to report a claim of sexual abuse is not easy. The strength and courage to make such a report often comes after many years of suffering."

The tribe's statement, which included the current claims bar date of July 19, also included contact information for tribal victim advocate and legal support services.