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\$13.5M settlement ends abuse suits against diocese

### **Providence Bishop Robert E. Mulvee announces the historic settlement and apologizes to the 36 victims of sexual abuse by members of the clergy.**

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**BY JENNIFER LEVITZ**  
**Journal Staff Writer**

**PROVIDENCE** -- The Roman Catholic Diocese of Providence yesterday reached a \$13.5-million settlement in 36 sexual-abuse lawsuits, abruptly ending what is believed to be the longest stretch of litigation over clergy misconduct in the nation.

Standing next to plaintiffs' lawyers at a news conference at the diocesan headquarters, Bishop Robert E. Mulvee said of the decade-long legal battle: "This is a day long sought that brings to an end the difficult and often contentious process of litigation that has been painful for most concerned."

"I reach out with deep sadness to the victims. Certainly in the name of the church, I ask their forgiveness and offer an apology for the harm that has been done to them."

The settlement comes less than two months after a Superior Court judge for the first time ordered the diocese to open its files -- to show what it knew and did about abusive priests. The ruling, by Judge Robert D. Krause, was a blow to the diocese, which had long successfully argued that its files were protected by religious freedom. The diocese appealed Krause's ruling to the state Supreme Court, which encouraged the two parties to enter into mediation, plaintiffs' lawyer Timothy J. Conlon said yesterday.

Conlon, speaking on behalf of five plaintiff lawyers involved in the cases, called yesterday's settlement "historic," saying "we are the oldest group of cases in the country," and that the long legal battle has "torn at the very culture" of the most Roman Catholic state in the country.

Standing at the podium, Conlon then turned to Bishop Mulvee, saying: "Your heartfelt condolences in reaching out to my clients means more to them than anything I could bring; it's more than you had to do, and it's the right thing . . . I applaud your courage."

One plaintiff yesterday said the settlement was like having a "building" lifted from her back. Anita Guilbault, 43, said she was abused by her family priest as a teenager in Cumberland.

"There will always be reminders; he abused me when I was 16 but he came into my life when I was 4," said Guilbault, of Lincoln. "Whenever I smell a pipe, there is the priest's presence. But this is official closure."

Leland J. White, another plaintiff, cried at the news conference, and hugged Monsignor Paul D. Theroux, who had represented the diocese during mediation. White, who is 46, and a lawyer in Arlington, Va., had filed a lawsuit in 1993. He was one of eight men whose lawsuits alleged abuse by the Rev. James M. Silva -- who was convicted of abuse in 1995.

"Thank you," White told the monsignor. "Today meant a lot. Today meant a real lot."

White, in an interview, said he felt that filing a lawsuit was the only way to get the church to publicly take responsibility for the abuse, and to prevent future abuse.

"I was raised a Catholic. As a Catholic, confession has two parts. You say you did something wrong, and then you do penance, make some gesture of sorrow," he said. "The church has said publicly, 'We are sorry,' but there was never anything behind that, just empty words. Now there's something real and genuine behind that and it makes all the difference in the world."

But outside the diocesan headquarters yesterday, in Cathedral Square, one victim said he was hesitant to believe the diocese's sincerity. He noted that the decision to settle after so many years came shortly after Judge Krause "had 'em up against the wall" with his decision in July that the diocese hand over its files.

"Only time will tell if their actions in the future will uphold what they've said today," said James Egan, a teacher who was repeatedly sexually abused by the Rev. Michael V. LaMountain as a teenager. LaMountain pleaded guilty to the abuse of Egan and four others in 1997.

Jeanne Egan, James's mother, was with her son. Asked whether she was disappointed that with yesterday's settlement, the church's records would likely remain private -- she said, "oh yes."

"I think they should come out," she said. "It's the only way the public is going to know."

The Providence settlement is one of a number in the past year. The Los Angeles Archdiocese paid \$5.2 million to one plaintiff last year; the Tucson diocese paid \$14 million to 16 victims in January, and the Jesuit order paid \$7.5 million to two alleged victims earlier this month.

The 86 plaintiffs in the Boston abuse case are considering a \$10-million proposal.

The Providence agreement covers all but two of the 38 men and women who sued the diocese, accusing 11 priests and a nun. Negotiations are continuing in the other two cases.

Bishop Mulvee said that to come up with the \$13.5 million, the diocese will seek both "internal and external financing," including investment reserves, pending insurance claims, and possibly the sale of "excess diocesan property." One candidate, he said, could be the Watch Hill mansion that serves as the bishop's summer home -- "but no final decisions have been made."

He is insistent, he said, that the money not come from parishes, or from charitable campaigns, such as the Catholic Charity Appeal.

Of the settlement, Bishop Mulvee said: "Some will ask, what took you so long?" He said there is no simple answer, but that these cases presented "a number of new legal issues that required a great deal of study and research."

Bishop Mulvee, who spoke both from the podium and through a statement he released to the media, explained: "The legal issues still exist of course, but while very important, they do not outweigh my overriding concern for the hurt suffered by these victims and the need to provide them a just resolution and ongoing therapeutic assistance."

He said the diocese had pledged to provide counseling for any victims who requested it.

Jeffrey R. Anderson, a Minnesota lawyer well known for his cases against the Catholic church, yesterday said that dioceses everywhere have taken a more conciliatory approach since the U.S. Bishops' meeting in Dallas. But the Providence settlement, he said, represents a major shift in legal strategy.

The change in public opinion about sexual-abuse cases, he said, coupled with a judge's orders to turn over documents, likely changed the course of litigation in Providence. Those scenarios are also starting to play out elsewhere.

"They can't operate with the degree of arrogance, insularity and secretness they had before," he said. "They know this is a public relations disaster."

Plaintiff lawyer Carl P. DeLuca said, however, that while it was true that the diocese had entered into mediation after the courts swung against them -- church officials seemed sincere in wanting to resolve the cases.

During mediation, as individuals began telling their stories, DeLuca said, church officials "were human beings finally having the reaction that we were always expecting they would have."

Monsignor Theroux, who attended the mediation, yesterday said the mediation had been emotional for him. He said victims felt betrayed not only by priests, but by the church.

"When the church didn't respond as strongly as they hoped, they felt betrayed again," he said.

One of the plaintiffs, Daniel Heroux, yesterday said that mediation "was the first time I've had the diocese listen to me."

Heroux, a 42-year-old analyst at Amica Insurance, said, "I felt I could walk away with my head high and that, for once, I wasn't made to feel as though it was my fault."

The plaintiffs' lawsuits named not only individual parishes and priests, but also Roman Catholic Bishop of Providence -- a company that holds the church's most valuable land and property -- plus the hierarchy: Bishop Mulvee, former Bishop Louis E. Gelineau, and former auxiliary bishops Kenneth A. Angell, now bishop of Burlington, Vt., and Daniel P. Reilly, now bishop of Worcester, Mass.

The accused clergy members included the Reverends Robert A. Carpentier, Joseph D'Angelo, Alfred P. Desrosiers, Roland M. Lepire, Michael V. LaMountain, Robert A. Marcantonio, Richard Meglio, Edmund Micarelli, William C. O'Connell, and James M. Silva. The other accused are Monsignor Louis W. Dunn, and a nun, Sister Mary Claudine. None of the clergy work for the church anymore. Four are dead. Six have been convicted of child abuse.

The diocese listed assets of \$97 million in its most recent financial statement. Plaintiffs' lawyers believe the diocese owns \$44 million in property -- a number the diocese won't confirm.

Explaining the settlement yesterday, Bishop Mulvee said "there is very little property that is not directly tied to ministry."

The 75-acre Aldrich Mansion on Warwick Neck might seem to be excess property, he said, but it is used for many diocesan meetings, seminars, and gatherings. Also, he said, the mansion -- a posh banquet venue -- generates enough revenue to maintain the Aldrich property, which is also home to a girls' boarding school.

One leader in the church laity said yesterday he was somewhat bothered by the concept of resolving sexual-abuse lawsuits with money.

Ralph Lawrence, a trustee at SS. John & Paul Parish in Coventry, explained: "I certainly feel badly for anyone who was abused and I want them to be able to move forward with their lives, although in some of these cases I feel . . . and I'm not referring specifically to cases in Rhode Island -- that the payment of these monies is not necessarily how you help a person move forward. They certainly need help with counseling . . . that type of thing."

Lawrence said it also concerns him because, "quite frankly that money is coming from other programs. It's coming from somewhere. Just the concept of it bothers me, but if that's what it takes to put it all behind us so the victims can move forward and the church can move forward and concentrate on the positive and good work it has always done, I guess we have to face that as a fact."

But yesterday, one plaintiff, Kenneth Sousa-Hart, said that "money is really secondary. I didn't go into mediation thinking I was going to

come out Donald Trump."

Sousa-Hart, who is 45, said he was molested at around age 11, at his Newport parish. He joined the lawsuits in 1994 at the suggestion of his father, who had read about a few individuals suing the church. He told his son if he still needed to get this "weight off my shoulder and this ugly situation out of my head, this would be the time to do it."

"The church is very powerful," said Sousa-Hart. "It has no problem owning property or passing around the basket; this is just another way to strike it and to tell it that they should be paying attention to its staff."

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## OFFICE LOCATIONS

**Timothy J. Conlon, Esq.**  
The Turks Head Building  
76 Westminster  
Suite 420  
Providence, RI 02903

toll free: 866-415-6041

f: 401-272-6701

[email](#) | [map & directions](#)

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