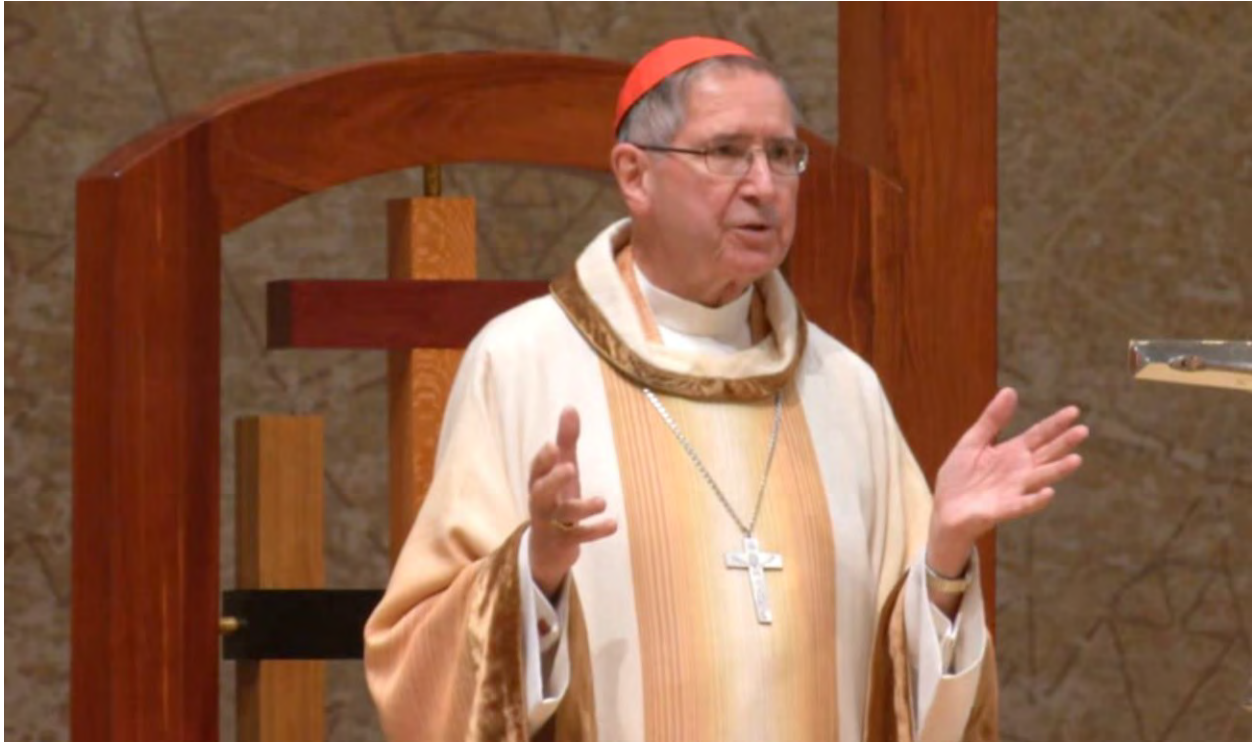


My Unificationist Memoirs Chapter 39

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Cardinal Roger M. Mahony

In our public lives, many times it is difficult to know what the right action might be. An opportunity presented itself to me early in the Fall Semester of 2005 and even now, I question whether I made the correct choice.

I received a phone call from my former law partner, Ron Lovitt, one morning while I prepared for class. Though pleasantly surprised, I knew better than to imagine it was simply a social call to catch up with me. At first, Ron only hinted at the subject matter, trying to peak my curiosity and lure me in, saying, "J., we have landed the perfect case for you!" I found his approach intriguing, of course - the perfect case, how often does that arrive on a lawyer's doorstep? Ron then said, "We're representing Cardinal Mahony in the Archdiocese of Los Angeles." Knowing that more than 500 victims of sexual abuse were suing the church in Los Angeles, I immediately sensed what the case entailed. That the archdiocese had been complicit in a coverup of pedophilia, I had no doubt, so I shot back at Ron, "What's a good Jewish boy like yourself doing hanging out with Cardinal Cardinal Mahony?" To this, Ron responded, "Well, somebody has got to defend the son of a bitch!" I told Ron that I would take his proposal seriously and I would get back to him within one week.

On the surface, the decision looks easy - why defend a Cardinal complicit in crimes against young people? However, the devil was in the details. Everyone knew the case would settle. Preliminary discussions were already underway. The question revolved around the size of the payout to the victims. And this is where my personal conflict resided: the Church was largely self-insured. This means that much of the money used to fund the payout would come from the donations of the laity meant as

resources for schools, the poor, and the many ministries operated by the Catholic Church. Deeply ingrained in me from my training under Mr. Kamiyama remained a profound sense of the sacred trust involved in handling public money. The negative correlative of that sense was "Public money is poison!" Thus, for me, the question became, should I defend against the expenditure of public money for the purposes of settling this litigation? Or was this pedophilia payout a matter of indemnity which must be borne by the whole Church for the sins of its representatives? How should I consider this? Having been the Director of Stewardship for the Diocese of Santa Rosa, I still felt a strong sense of personal responsibility to protect the donations of the laity and the assets of the Church.

I also wondered if God was opening an avenue to Cardinal Mahony for me to pursue. But then, considering the actual logistics of litigation, I began to feel that time spent with the Cardinal would likely not be conducive to deeper conversation. I needed to get an insider's view of the Cardinal, so I called my cousin, Father Ken Deasy, who pastored a parish in the Archdiocese of LA, and who knew Mahony quite well. In his usual iconoclastic manner (he authored a book titled, "Come Down Off Your Cross, Somebody Else Needs the Wood") Father Ken cut to the chase: "J., you step in shit, you smell like shit!" He advised me to let my very capable friends handle the Mahony matter. I called Ron back and declined the offer.

Though I'm 95% certain I made the correct decision, there's always that 5% uncertainty that surfaces in the question of "What if?" The settlement came to \$660 million, money that could have accomplished enormous good in the Archdiocese of LA. Instead, it went to pay for the sins of the clergy. What a terrible waste! What if I could have made a difference? But, then again, I suspect not. I soothe my heart, reflecting on the influence I had over the lives of the more than 2,000 students I taught and coached in my years at Cardinal Newman. I could not have continued teaching while working on the case. Money is transient and finite, a symbolic representation of value, but each soul is an infinite universe.

Moreover, the one constant in the Catholic Church is the clergy's high regard for their money. If change will ever come to the secretive manner in which the fraternity of priests operates, it will be due to the financial pressures placed upon them to reform. After Bishop Ziemann resigned in 1999, he eventually was replaced by Bishop Daniel F. Walsh. In August 2006, the Sonoma County Sheriff recommended criminal charges be filed against Walsh for not reporting a pedophile priest, Father Ochoa, within the window of time required by law, and instead providing enough delay for Ochoa's escape to Mexico. If charges had been brought, Bishop Walsh would have faced jail time. Instead, a plea agreement was reached and the bishop was let off with counseling. Jail may have made the bishop into a martyr, so as much as it bothers me, I think a hefty fine may have been more effective. Needless to say, coming on the heels of Bishop Ziemann's resignation in disgrace, and the disclosure of years of pedophile payments, the Ochoa affair further demoralized the Santa Rosa Diocese. Parishioners either stopped donating money or shifted their gifts to Catholic Charities or Cardinal Newman High School.

One would think that the Catholic hierarchy would recognize the conditions of crisis within the Diocese of Santa Rosa, and acknowledge the need for significant change. But that was not to be the case: Enter Bishop Robert Francis Vasa.