

REMEMBERING GEORGE H.W. BUSH

During the 1988 presidential campaign, Bill Donohue was a Bradley Resident Scholar at The Heritage Foundation. His first book, *The Politics of the American Civil Liberties Union*, published in 1985, was the magnet that landed him the job.

It was also a time when Michael Dukakis, the Democratic nominee for president, loudly proclaimed that he was “a card-carrying member of the American Civil Liberties Union.” It didn’t take long before those working for Vice President George H.W. Bush contacted Donohue hoping to obtain inside information on the organization: Bush was running for president.

Donohue happily gave the Bush team what they wanted, and appeared on several talk-TV shows, notably “Crossfire,” defending Bush against his critics. The ACLU issue took off like a rocket. “It sometimes seems as though the election is more about the ACLU than anything else,” complained NBC anchor Tom Brokaw.

Before the first presidential debate, the Bush campaign asked Donohue to provide them with a list of some of the most controversial ACLU policies. He did, and Bush quickly mastered them (Donohue’s first of two books on the ACLU was an extension of his NYU Ph.D. dissertation on the organization; his other book, *Twilight of Liberty: The Legacy of the ACLU*, was published in 1994 and a new Afterword edition appeared in 2001).

During the debate, ABC anchor Peter Jennings asked candidate George Bush why he continued to make an issue out of Michael Dukakis’ membership in the ACLU. Here is what Bush said.

“I simply don’t want to see the ratings on movies—I don’t want my ten-year-old grandchild to go into an X-rated movie. I like those ratings systems. I don’t think they’re right to try to

take the tax exemption away from the Catholic Church. I don't want to see the kiddie pornographic laws repealed. I don't want to see under God come out from our currency. Now, these are all positions of the ACLU, and I don't agree with them."

The ACLU and the *New York Times* accused Bush of distorting the ACLU's record. They were wrong. Donohue supplied David Margolick of the *Times* with the evidence that he gave to the Bush campaign, taken straight from the ACLU's Policy Guide.

The ACLU was on record opposing the Motion Picture Association of America's movie rating system, even though this was a purely voluntary nongovernmental body. The ACLU Foundation and the New York Civil Liberties Union had filed an amicus brief in support of the Abortion Rights Mobilization to secure standing in its lawsuit seeking to strip the Catholic Church of its tax-exempt status.

The ACLU lost in a unanimous decision in the U.S. Supreme Court (*New York Ferber*, 1982) seeking to protect the production, sale, and distribution of child pornography. And its opposition to "In God We Trust" on coins was long-standing, a position that the founder of the ACLU, Roger Baldwin, told Donohue was "one of the more foolish statements" the organization ever made.

Looking back at this presidential campaign, Garry Wills noted how incendiary these cultural issues were. "The Bush campaign was able to exacerbate this struggle, calling on the advice of William A. Donohue, the sociologist who wrote the right wing's favorite book on the subject, *The Politics of the American Civil Liberties Union*. Donohue, for instance, gave the campaign the useful political charge that the ACLU would keep 'kiddie porn' legal."

"God bless President George H.W. Bush," Donohue said. "I am delighted to have played a small role in his life."

CARDINAL DINARDO DESERVES BETTER

When law enforcement agents act like bullies, justice is sundered. That's what happened last October in Michigan when police raided all seven Catholic dioceses—including the home of one bishop—in search of evidence of sexual abuse by the clergy.

In late November local police, the Texas Rangers, the local D.A.'s office, and other agencies raided the Archdiocese of Galveston-Houston, headed by Cardinal Daniel DiNardo. They were looking for evidence concerning Rev. Manuel La Rosa-Lopez; he has been accused of molesting two teenagers more than a quarter century ago. The priest says he is innocent of all charges.

The archdiocese says it is wrong to call it a "raid" because they were cooperating with law enforcement. But when dozens of cops and the Texas Rangers show up, unannounced, carrying boxes they expect to fill with documents, records, electronics, etc., what else should we call it? It is precisely because the archdiocese was cooperating with law enforcement that this mad search was so unnecessary.

How did the agents even know that the priest was accused of molesting two teenagers? The authorities found out because DiNardo notified them. That's how.

The archdiocese admitted it was still looking for more documents on the priest, and law enforcement appeared satisfied. So what made the alarms go off?

CBS had done a hit job on DiNardo the previous week, and this

surely played a role in getting the agents ginned up.

"We do believe, based on our research, that there will be a secret archive that will have information on this case," said J. Tyler Dunman of the special crimes unit for the Montgomery County District Attorney. "Secret archives"? They are what organizations such as CBS call confidential records, but it sounds more melodramatic to label them "secret archives."

Montgomery D.A. Brett Ligon said, "This is not a search warrant against the Catholic Church." So what is it? He disingenuously admitted, "We're going to go wherever the investigation requires us to go." In other words, they are using the accused priest as a pretext to raid the archdiocesan offices.

Why didn't the D.A. subpoena the records? Because that would not have accomplished their real goal—which is to go wherever the raid takes them.

There were hundreds of media stories on Cardinal DiNardo in the month of November, and many were critical. The treatment was often unfair, and leading the way was the CBS story.

Why DiNardo? The short answer—that he is chairman of the U.S. Conference of Catholic Bishops and the bishops were assembling in Baltimore in November for their biannual meeting—is incomplete. Why did the media go after Cardinal Donald Wuerl when the Pennsylvania grand jury report was issued in August (he previously served as Bishop of Pittsburgh)?

Wuerl was targeted because he was the most senior clergyman cited in the report. It did not matter that he had one of the best records of any bishop in the nation handling cases of sexual abuse—he was the biggest fish that the Church's foes could fry. That was certainly true of Pennsylvania Attorney General Josh Shapiro; he was aided and abetted by the media. We knew at the time that the next target would be another senior prelate.

CBS began its story by reporting on La Rosa-Lopez. Here is what viewers were not told.

The alleged abuse of a teen male took place at the end of the last century. The alleged victim never said a word about it until August 2018. As soon as this case was reported to the archdiocese, officials contacted the Children's Protective Services. The next day an arrest warrant for the priest was issued, and he voluntarily turned himself in that evening.

Why didn't CBS tell its viewers this? By the way, DiNardo did not become Archbishop of Galveston-Houston until 2006.

The other alleged victim was a woman who claimed the priest kissed and fondled her when she was a teenager. She wrote about the priest in her diary, confessing that she was in a romantic relationship with him. When did this allegedly happen? In 2000. Curiously, she came forth with her story only days after the alleged first victim came forth with his old story.

Why didn't CBS tell its viewers this?

The CBS story focused mostly on two other priests, Rev. John Keller and Rev. Terence Brinkman.

CBS said that in 1998 Keller molested a 16-year-old male who reported it to the archdiocese four years later. Keller denied that the fondling ever happened. An archdiocesan lay review board investigated this case and could not substantiate the accusation.

The CBS story said that Brinkman allegedly sodomized a 12-year-old male in the 1970s. The priest denied this happened. The lay review board investigated and could not substantiate the accusation.

These two cases—one from more than 20 years ago and the other from over 30 years ago—were the only accusations ever made

against either priest during their 40 years of service to the archdiocese. Too bad CBS didn't report this.

It's also too bad that CBS didn't report that the archdiocese responded to more than 30 questions submitted by the network, yet, according to Church officials, "almost all of our responses [were] completely ignored by the CBS team."

Cardinal DiNardo deserves better. But in this sick environment, where priests are considered guilty before proven innocent—and high-ranking members of the clergy are seen as meriting even fewer rights—anything is possible. The public is being set up to believe the worst about the Catholic Church.

The bishops are under siege. What will the bullies think of next? They surely won't convene a grand jury probe of the public schools. Bet on it.

SEXUAL ABUSE EXTENDS BEYOND THE CHURCH

Sexual misconduct is a ubiquitous phenomenon, sparing no institution. Moreover, it is hardly unique to our age. Yet by reading news stories this would not be so evident. They would have us believe that the Catholic Church is the worst offender. There is no evidence to support this claim.

The *Philadelphia Inquirer* is a case in point.

Here is what it said in a recent editorial. "Yes, there have been sexual-abuse scandals at other institutions," it says, "including public schools, universities, other religious organizations, the media, politics, and Hollywood. But nowhere

has the abuse been as widespread and accountability so disregarded.”

How in the world could any newspaper, or for that matter any social scientist, make such a statement? Where are the comparative data?

For example, there is no national databank that collects and publishes sexual abuse by public school teachers or administrators. Worse, calls for such a repository always go unanswered: the educational establishment and the teachers’ unions see to that. And the media routinely give them a pass.

The only data we have on the public schools come from journalists at the Associated Press and *USA Today*. What they found, in 2007 and 2016, respectively, is astounding: sexual abuse of elementary and secondary students is widespread. Even more outrageous, accountability is lacking. “Passing the trash”—moving molesting teachers from one school district to another—is still going on (in the past, some bishops were guilty of moving offending priests to other parishes, but that is no longer tolerated).

Yes, we have seen universities implicated as well. Again, we don’t have a databank that records instances of sexual misconduct the way the Catholic Church does, but we know from one such school, Michigan State University, that there were 1,168 such reports that took place during the 2017-18 academic year; this was up from 718 the previous academic year.

Regarding other religious organizations, the collection of data on this subject is very spotty. Unlike a hierarchal institution like the Catholic Church, most religious institutions have no centralized mechanism that compiles evidence of sexual abuse. So we are left with anecdotal information.

Last year, the *Pittsburgh Post-Gazette* ran a front-page story on sexual abuse in non-Catholic religious organizations. “Some

people assume this is a Catholic problem,” said Pastor Jimmy Hinton, a Church of Christ minister from Somerset, Pennsylvania. “It’s not, not at all. There are plenty of Protestant and nondenominational churches that cover-up abuse and knowingly pass abusers from church to church, or quietly dismiss a known abuser and don’t bother to check up on the abuser and don’t know where they settled.”

Similarly, anyone who reads the Jewish newspapers knows that the sexual abuse of minors is a big problem, especially among Orthodox Jewish rabbis. The cover-up is incredible: they have their own rabbinical courts that try these cases, sidestepping the civil and criminal courts. If the Catholic Church held its own canonical courts—bypassing the authorities—it would be the lead story in every media outlet nationwide.

The *Philadelphia Inquirer* editorial mentions the media, as well it should. CBS, NBC, and Fox News, in particular, have been ravaged with serial abusers at the highest level, and nothing was done about it until recently.

Politics is cited as well. Where do we begin? There have been so many predators, and so little accountability by the leadership in the Republican and Democratic parties, it is mind-boggling.

Ditto for Hollywood. From Harvey Weinstein to Louis C.K., sexual misconduct has been rampant in Tinseltown for decades. We still don’t have a good accounting of all the kids who have been raped.

What about the medical profession? In 2016, the *Atlanta Journal Constitution* found that more than 2,400 doctors from every state have been sanctioned for sexually abusing their patients. But in more than half the cases, state medical boards, which oversee physician licenses, allowed more than half these doctors to keep their licenses, even in instances where the accusations were deemed to be true.

Why wasn't the tech sector mentioned? More than 20,000 Google workers staged a walkout across the globe on November 8 to protest the way it treats sexual misconduct. A senior executive received a \$90 million exit package *after he was credibly accused of sexual misconduct*. Forced arbitration, confidentiality agreements, and a general lack of transparency figured prominently in the protest.

But there will be no editorial in the *Philadelphia Inquirer* blasting these segments of society.

Nor will there be any nationwide push to demand that the Human Resources department in every organization in the nation be required to collect data on sexual offenses, or that a databank be established—especially in the public sector—to track accusations and their disposition.

Why the disinterest? This isn't about protecting the innocent—if that were true no institution would be spared intense scrutiny—it's about “getting the Church.”

Why? Because the name of the game is to enervate the moral voice of the Catholic Church, paving the way for greater sexual freedom. This is clueless beyond belief: the emancipation of the id has never led to a greater exercise of liberty; rather, it has led to more sexual misconduct, the very problem the Church's critics say they want to check.

ILLINOIS AG REPORT REEKS OF POLITICS

On December 19, Illinois Attorney General Lisa Madigan released a report by her office on sexual abuse by the

Catholic clergy in Illinois. Before addressing her report, consider the backdrop to her investigation.

A few years ago, one teacher at a Northwestern Pennsylvania high school, Brother Stephen Baker, was reported to the authorities on grounds that he allegedly molested a minor in the 1990s. Who reported him? His bishop, Altoona-Johnstown Bishop Mark Bartchak.

What happened next? The Pennsylvania Attorney General, who is now in prison, launched a state-wide probe of six of the eight dioceses in the state. That was all it took—one old case to ignite a huge probe of nearly all Catholic dioceses in the state extending back to World War II.

Illinois Attorney General Madigan said it was that grand jury report that inspired her to launch her investigation. The Pennsylvania grand jury report was released in August. Which begs the question: Why didn't Madigan launch an investigation of the public schools throughout the state following revelations of a *Chicago Tribune* report on sexual abuse in Chicago? That report was released in June.

The *Chicago Tribune* found that there were 523 credible cases of rape and sexual abuse of Chicago students over the past decade. Even more astounding, in the last three months—between September and December—Chicago public school officials fielded 624 new complaints, including a teen track star who was allegedly raped 40 times by her coach. Worse again, these school officials “knew about these abuse cases and hid them from the public for eight years.”

Why didn't Illinois Attorney General Madigan insist on a probe of every public school in the state, dating back decades?

Kids are being raped by public school teachers right now in Illinois, but this does not concern her. There is no “Teacher Abuse Hotline” posted on her website, but there is a “Clergy Abuse Hotline.” Furthermore, we know that she is not

interested in cases of abuse committed by the clergy in all religions. Just one.

Catholics, and the public, are being led to believe that the Catholic Church owns this problem. It does not. It is widespread, but few prosecutors have any interest in examining current cases of sexual abuse in the public schools, never mind cases of abuse committed by the clergy in other religions. They are too busy uncovering decades-old cases of abuse committed by priests.

Regarding the Illinois Attorney General's report, there are many unanswered questions.

Why is the report being touted as an examination of alleged sexual abuse in Illinois, when that is only partly true? The Clergy Abuse Hotline allows callers to report instances outside the state, or, as the report says, "in Illinois and elsewhere."

Who called the Hotline? They were "survivors who were abused decades ago." Why are they not referred to as *alleged* survivors? Did they ever report their alleged offense? "Survivors informed the Office [of the Illinois Attorney General] that, at various times over the years, they reported the abuse they suffered to one of the Illinois Dioceses."

Did all of the alleged survivors register a complaint at the time of the offense, or just some? If some, how many? More important, there is no evidence that the Attorney General's office sought to verify any of these accusations. Yet it takes Church officials to task for disregarding allegations brought to their attention.

The report says that "The Illinois Dioceses often disregarded survivors' allegations by either not investigating the allegations, or finding reasons not to substantiate the allegations."

Perhaps some of the allegations were not found credible on the face of it (e.g., the accused priest wasn't even in the parish where his alleged offense occurred at that time). The report shows its true colors when it accuses Church officials of "*finding* reasons not to substantiate the allegations" (our italic.) Does the Attorney General's office have evidence that Church officials contrived their conclusions? If not, why the stab?

The report acknowledges that in some cases the alleged victim chose not to have his name made public (a not uncommon practice). In other cases, a criminal investigation was already underway. In still others, the clergy had fled the country. These are all plausible reasons why Church officials decided not to launch a probe. But the authors of the report do not see it that way, and act as though non-Church officials typically start probes in similar instances. This is nonsense.

Perhaps most unconvincing of all, the report concludes that "Based on its review, the Office believes that additional allegations should be deemed 'credible' or 'substantiated' by the Illinois Dioceses." On what grounds? On what basis does the Attorney General's office make such a determination? It provides not one iota of evidence to make such a claim.

To say it "believes" this to be true means nothing. What specific cases did it find that should have been deemed credible or substantiated by Church officials? In other words, can the Attorney General's office *substantiate its claim*?

Catholics, as we often say, are being played.