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Jesuits Settle Case With Abused Men

■ Courts: Society of Jesus will pay two mentally retarded victims, who worked at a Bay Area retreat center, a total of \$7.5 million.

By GLENN F. BUNTING, TIMES STAFF WRITER

The California Province of the Society of Jesus agreed Wednesday to pay a total of \$7.5 million to two mentally retarded men who said they were sexually abused for years by Jesuits at a retreat in Northern California, according to sources who participated in the negotiations.

The settlement, which followed more than a year of talks between the Jesuits and attorneys for the two men, is among the largest out-of-court agreements of its kind reached by the Catholic Church. Dioceses in Boston, Dallas and Santa Fe, N.M., have agreed to pay larger amounts, but they were distributed among many more victims.

"We're very happy," said Holly Ilse, the Los Gatos dress shop owner who fought on behalf of the two victims and initially reported the sexual abuses to police. "I think no amount of money can compensate for the torture my friends have been through. But this will give them enough money to live as normal life as they can for the remainder of their years."

Father Thomas H. Smolich, head of the California Province, declined to state how much of the \$7.5 million would be paid by the Jesuits.

He said that the province would pay a "significant contribution" and that the remainder would be covered by an insurance carrier.

"We thought the settlements were in the best interests of all parties," Smolich said. "We've been working on this settlement for well over a year. We began wanting to settle, we continued to want to settle and we settled."

The Jesuits were facing an Oct. 15 civil trial if they had not agreed to the settlement.

The lawsuit, filed June 19, 2001, in Santa Clara County Superior Court, alleged that four Jesuits subjected the two victims to repeated acts of sodomy, molestation and false imprisonment for "as long as 30 years" at the Sacred Heart Jesuit Center.

The plaintiffs sought more than \$10 million in damages.

One of the defendants, Father Edward Thomas Burke, 81, was sentenced in June to two years in state prison for molesting one of the victims for several years. Burke had pleaded guilty to committing a lewd act on a dependent adult, a felony.

The case came to the attention of authorities in March after The Times reported that top Jesuit officials quietly relocated Burke in April 2000 after he admitted engaging in sexual misconduct. Instead of notifying

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authorities, the Jesuit leaders moved Burke to a residence on the campus of Santa Clara University.

Burke was the fifth Jesuit in Northern California in recent years ordered to register as a sex offender for life. All five have resided at Sacred Heart. Brother Charles Leonard Connor was convicted last year of committing a lewd act on the other victim. He is free after serving six months of home detention.

The victims, described as "John Doe" and "James Doe" in court papers, both have been diagnosed as mentally retarded. At Sacred Heart, they were employed as dishwashers responsible for cleaning, drying and storing pots and pans used in preparing meals for the Jesuits.

John, 56, was born in San Francisco and contracted polio as a child. He was raised in foster homes and moved to Sacred Heart on Oct. 8, 1969, at the age of 24.

James, 51, was born in Germany and adopted from an orphanage as a toddler by a U.S. Air Force officer and his wife. He never attended school and spent his teenage years in a state mental institution. He arrived at Sacred Heart on Aug. 26, 1970, at the age of 19.

The two were paid a starting salary of \$150 per month.

As part of the settlement negotiated Wednesday, the Jesuits will deposit the money into an annuity that will pay each victim \$13,000 per month, said M. Jean Starcevich, an attorney for the plaintiffs. Over the next 30 years, the two men will each receive an estimated \$7.6 million.

"It means that [John and James] will be able to stay in Los Gatos, get themselves in a secure living situation and receive the psychological counseling that both of them will need for some time," Starcevich said. "They will be able to live very happy and comfortable lives."

The sister of one victim, Debra Sullivan, said her brother was relieved after learning of the settlement: "He kept saying he was glad it was over. My overriding emotion is just one of gratitude for all the people who stepped forward in various ways during this long, painful ordeal and were willing to actually do something to help."

Sullivan singled out Ilse--the only daughter of a retired San Jose police officer--who repeatedly pushed law enforcement authorities to investigate the allegations of sexual abuse at Sacred Heart, located just a few minutes from her store. "I am deeply thankful for her persistence and courage in pressing on for five years and working as hard as she did," Sullivan said.

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