

Archdiocese responds to new allegation

National victim advocacy group weighs in

By Jacqueline Perry Guzman
jackie@postguam.com



DENY: Archbishop Anthony Apuron is denying the latest allegation of sexual abuse, describing it as "another malicious and calumnious accusation." Post file photo

New allegations of sex abuse leveled by the mother of an alleged victim of Archbishop Anthony Apuron prompted responses from the Archdiocese of Agana and by the Survivors Network of those Abused by Priests (SNAP).

In a statement, Joelle Casteix, western regional director of SNAP, said, "Our hearts ache for Doris Concepcion, who has so bravely spoken out about the abuse her son endured."

In its response, the Archdiocese of Agana stated: "Another malicious and calumnious accusation against the archbishop has surfaced; this time from the mother of a man who has been deceased for 11 years. The archbishop strongly denies this accusation as he had done so before."

On May 17, former Guam resident Roy Quintanilla alleged he had been molested by the archbishop 40 years ago when Apuron was a priest at the Our Lady of Mount Carmel Church in Agat and Quintanilla was a 12-year-old altar boy.

Casteix said it is time for the Vatican and Pope Francis to adhere to their promises of child safety. "They must immediately step in and publicly remove Apuron from his office until a complete and independent investigation is complete," he said.

Casteix also said Apuron should and

must do the right thing and voluntarily step aside in the meantime. "No cleric, especially an archbishop, should remain in ministry when he has two credible allegations of abuse that have not been investigated."

Reason

In its statement, the archdiocese said that the reason for the "fierce attacks" is due to the removal of the administration of the Cathedral-Basilica, the basilica museum and the Catholic cemeteries three years ago.

"Tim Rohr and his associates launched a 'vicious and calumnious attack' on the archbishop and the church," the statement says.

The statement also refers to the selling of the Yona seminary to cover debts

incurred at the hands of the former administration. According to the statement, this was the beginning of the "malicious campaign to denounce and attack the archbishop at whatever cost to get him out of the way."

In his statement, Casteix said: "Parents of sexual abuse victims carry an awful and painful burden. Ms. Concepcion only wanted the best for her son. She had no idea that she was possibly putting her child in the path of a predator."

The SNAP statement also said, "Two brave people have now come forward to allege child sexual abuse at the hands of Archbishop Apuron. The time for 'internal investigations,' bullying parishioners, and maintaining the

status quo is over.

"We implore other victims to come forward to law enforcement and civil authorities. As Roy Quintanilla and Doris Concepcion have shown Guam's victims of abuse, help and support are available," Casteix wrote.

The statement from the Archdiocese said, "The perpetrators of the calumnies have resorted to insults and violence revealing their true intention to destroy the Catholic Church and discredit the archbishop by whatever means. Their method is to confuse and mislead the faithful, even to

the point of inducing some to bring false testimony. This was predicted even before the first accusation was revealed. The archdiocese is in the process of taking canonical and legal measures against those perpetrating these malicious lies."

A note purported to be from an attorney in the Northern Mariana Island said that even though the alleged victim Joseph Quinata has died, the statements he made to his mother about the abuse that allegedly happened when he was 11 years old would be admissible in a court of law because they were made in the face of imminent death. Quinata reportedly died of an illness shortly after he made the statements.

Court dismisses appeal in teacher furlough case

By John O'Connor
john@postguam.com

Superior Court of Guam Judge Michael Bordallo has dismissed a Guam Department of Education appeal of a ruling that awarded 12 teachers from Agana Heights Elementary School back pay and interest for two weeks of denied pay in 2003.

"This hopefully ends the litigation regarding what has been known as the furlough case," said attorney Daniel Somerfleck, who represented the teachers.

In 2003, a change in the school year schedule for the South Pacific Games resulted in two weeks' worth of lost wages for teachers. Somerfleck said the Guam Federation of Teachers initially filed an action on behalf of the teachers but the Guam

Supreme Court ruled against the union in August 2013. Only the 12 Agana Heights teachers continued to pursue the lost wages after the ruling, he said.

Just 15 days after the Guam Supreme Court decision, the teachers moved forward with step two of the grievance process with the Civil Service Commission, which was filed Aug. 27, 2013. They asserted that since the start of the 2003-2004 school year, there was a failure to pay wages due, resulting in a non-pay status for employees. They sought lost wages to be paid for that period with interest.

Management moved to dismiss the grievance on Nov. 12, 2013 and the teachers filed their opposition to the motion seven days later. The Civil Service Commission ruled in favor of the teachers and ordered that they be

paid their wages for the two weeks in 2003 with 10 percent interest for each year since. The decision was rendered in March 2014.

Judicial review

On April 18, 2014, GDOE petitioned for judicial review and writ of mandamus. Two months later, an opposition to the judicial review was filed. After two years, the teachers filed a motion to dismiss the petition for failure to prosecute while GDOE filed an opposition to the motion on March 9, 2016.

Court rules give it the power to dismiss a petition based on the lack of action, but certain criteria must be met.

"This matter has sat within the court's docket for 22 months since the petitioner's filing of the matter. Since that time, the only filings that have been made were the parties' answers

and respondent's attorney of record withdrawal," Bordallo stated in his decision. "The parties know that the court's docket is severely strained when parties fail to prosecute an action. Additionally, in this case, the public's interest in monetary awards for teachers requires that this litigation be done expeditiously."

Bordallo stated that GDOE admitted there was an "oversight" with following up on a scheduling order. He also stated that without the teachers' motion to dismiss, the court questioned how long the case would have remained dormant.

"This court, having examined the case, finds that petitioner has failed to prosecute the case," Bordallo stated. "Accordingly, the court orders that the (case) be and is hereby dismissed."