

Media Influence on Legal Cases Concerning Sexual Assault in the Church

Summer Threadgill

Mississippi College

Abstract

The following paper stands to comment on the media's influence on legal proceedings of sexual assault in the church. First, the idea of media and media's influence on society will be developed. Once the fundamentals of media have been established, the church will be defined and discussed. The church's stance on sexual abuse and a selective few cases dealing with sexual misconduct within the church will be examined. The cases chosen have been the Father Paone and his sexual assault of over 300 young boys over a span of 40 years, a man's experience as an altar boy, and Andy Savage's experience in a singular sexual assault case. Finally, the media's role in the court proceedings or lack thereof will be commented on.

Media Influence on Legal Cases Concerning Sexual Assault in the Church

Media

What is Media?

In today's world, messages must be sent from person to person through a channel. This channel is called the media. Media refers to every way that people communicate, including, but not limited to, phone calls, internet, evening news, radio, or most popular in today's society, social media. Social media is a form of communication that occurs through social platforms such as Twitter, Instagram, and Facebook. Miller has broken down media into four characteristics. "First, social media platforms are web-based applications. Second, social media is centered around user generated content. Third, user-specific profiles for both individuals and groups are created and managed by a service. Lastly, social media services connect people to networks of other people and groups." These forms of media allow for instant communication of ideas to a large group of people. Because of these different types of medias, the consumer is given a choice in the way they hear messages

Consumers might have a choice in the medium used but not in the content heard. Consumers are looking for news within the media. Media serves as a watchdog for the public, but sources are comments made by people with a bias. It is hard for someone to write in journalism without their biases playing a role in the content that they are creating. Media first began in response to politics and informing the people who could not go to an event themselves. Over time, as people gained time, money, and experiences, people desired more out of their media. Now, media performs four major roles for the public: to inform, to entertain, to mold public opinion, and to instruct.

Media's Influence in Society

In today's world, almost every person's instinct is to check the phone first thing in the morning to see the latest news, texts, and blog posts. The average American spends roughly two

hours daily on social media. No minute is complete with some form of media shaping one's mind. Throughout history, readers can find instances of the media's direct link to current societal trends. In today's world, the word "influencer" plays a role in the thoughts and actions of people all over. These influencers decide the trends that people then deem to be truth. Almost in a peer pressure type of way, people are held to a certain thought through media. In overarching culture, media informs and instructs the public as discussed earlier. This information leads to an instruction of what to do with said information. The way writers portray the information on the screen or on the paper directly influence a consumer's thoughts about a particular subject. The knowledge of power over a consumer's thoughts is mighty in writers' hands. One can write with bias and a consumer won't even know it. In order to make sure the information that is given is correct, one should fact check and only rely on credible authors. People also passively interact with the medias in front of them. This might look like a scroll on Facebook, a "Skip Ad" on YouTube, or a click through on Snapchat. Even these passive forms of media ingrain themselves in one's mind.

Church

What is the Church?

The Church is often interpreted to mean a physical building, but within the parameters of this paper, the term "church" will refer to a body of believers. The study of the church is called ecclesiology, coming from the Greek word *ekklesia*. It is a general term to mean assembly or gathering. Churches are often distinguished by denominations. Denominations believe different details but believe in the same overarching belief of Christ. Within the Church body, believers have specific roles. This can be seen in 1 Corinthians 12. This passage speaks of the diversity yet unity within a church body. It relates the church body to the physical human body. A human body needs ears to hear, lips to speak, and eyes to see. If every part of the body had the role of an ear, there would be no parts to see or speak. It is the same way within the church body. People

are specifically gifted in certain areas of the church in order for the church to work together as a whole. These positions can look like service, worship, and teaching. A person who teaches is often known as a pastor or a reverend. This type of person usually has specific schooling, a seminary degree, but not always. A pastor is held to high standards, which is Biblically based in James 3:1.

To be a pastor is to be a leader. Leaders have people who follow them. A pastor leads a group of people called their congregation. This congregation looks to the pastor for advice and as a role model. Because of this, the pastor plays an influencer role in the congregation's lives. A church will follow in the pastor's footsteps- his passions, his teachings, and even his shortcomings. A congregation can fall into temptation to the same shortcomings as the pastor struggles with.

Church's Stance on Sexual Assault

(Before the continuation of this paper, I would like to add that this is not every church's stance, but a scientific curated image of the church's stance.) By protection of the First Amendment, US citizens have the right to freedom of religion. This allows churches broad freedom from government regulation and control. This right extends to employees of the church. The employment's coverage by the First amendment is based off of what a person does for their job, not always their employer. (Lefevere) If a person registers as a minister, that employee and all disputes must be resolved out of court due to the coverage of the First Amendment.

(Lefevere) Wheeler states:

A classic example of the continued protective vigor of the First Amendment is the "ministerial exception" in Title VII antidiscrimination cases brought by employees against churches. (47)

Because of this freedom of religion, common law will not meddle with inside church matters concerning pastors. The very heart of the church- reflecting the heart of Christ through service to

others- rarely goes against a law. (Wheeler, 51) In today's society though, pastors are held to both a legal and ecclesiastical standard. (Wheeler, 50)

The church's stance on sexual assault can be seen in the church's views on the 2nd Samuel story of David and Bathsheba. This story tells of David using his leverage as king to commit adultery with Bathsheba, a married one, then proceeding to have her husband killed in the line of duty. David's actions can be boiled down to three themes: "sexual exploitation, abuse of power, and attempted cover- up." (Tait, 180) Upon further investigation of the religious and historical background on the story, readers understand that David "breaches not just his kingly responsibilities, but the military code, masculine honor, and parental duty." (Tait, 186)

Within Tait's article, he compares the interpretation by three major religions to their respective stance on sexual assault cases today. These religions are Judaism, Islam, and Christianity. Judaism claims that sexual assault was not the case but simply a lack of patience on David's part for his future wife. He is seen as a "model sinner." The Islamic tradition, according to Tait, omits his sins and instead hits on the lesson "about the social responsibilities of the powerful." (Tait) The Islamic community paints the picture of a noble man who takes advantage of his power but feels deep sorrow over his actions. Finally, the Christian interpretation of the story reminds people that even though David is in a position of authority, he is still under the same law. Sorrow is not enough, but repentance and forgiveness through Christ is what saves one from their own mistakes.

Overall, rape victims within the church lose their person but instead become a symbol. Bathsheba became a symbol of David's mistakes and power rather than a woman taken in the act of ceremonially cleansing. David's reputation was held as a higher importance than the purity of Bathsheba and her fate. (Tait, 197)

The church's interpretation of the David and Bathsheba story corresponds to their stance on sexual assault today within their own church. Ultimately, the church

denies that a crime has taken place, disputes responsibility for the crime, downplays the harm to the victim, blames the victim, and justifies any harm done by finding a greater good. (Tait, 196)

The Catholic Church in *Roe v. Roman Catholic Archbishop* encourage boys to not report sexual assault and in fact “groomed the boys for further sexual abuse.” (Doe) While this case does not qualify the church as a whole, the church has hidden sexual assault for a long time in order to not hurt their appearance. Once the cases come to light though, the church looks like lying and mean men who take advantage of people left and right.

Legal Cases

Cases of Sexual Assault in the Church

A notable case of sexual assault within the church is the case of Father Ernest Paone. He was in active ministry from 1957 to 2001, a career ranging 44 years of ministry. (The Case) His locations ranged from Pennsylvania to California to Nevada. (The Case) In 1962, his director superior was given word that Paone was being arrested for “molesting young boys of the parish and the illegal use of guns with even younger parishioners.” (The Case) This behavior was considered to be degrading and scandalous to the church. The arresting was interceded and Paone was reassigned to a new parish in Pennsylvania. (The Case) In 1968, Paone desired to move up within the parish in Los Angeles and his direct superior that interceded his arrest in 1962 gave him a written form of approval. In 1975, Paone was still considered to be “of good standing.” (The Case) Between 1983 to 1988, Paone taught at public schools, colleges, and continued his regular priest duties with little to no supervision. (The Case) 1989 brought potential havoc to Paone’s world. Bishop Donald Wuerl told the Vatican through a letter that due to the accusing of sexual assault, he felt it was necessary to reassign parishes and make people aware of such reasons for relocation. (The Case) Paone was relocated again to Nevada and in 1994, he was again accused of sexual assault in the 60’s. Despite his actions, Paone was still

allowed in active ministry. Paone even asked for an affidavit saying that he had no problems or any history of sexual behavior with minors. (The Case) In 2002, after an article was released describing the relocation of sexual assaulting pastors, Paone was placed on leave, described as simply “administrative.” (The Case) In 2002, after another complaint of sexual assault against Paone was made, the Diocese notified the local district attorney’s office and the case went to trial. (The Case) It was not until a third formal complaint and media’s eye on the church as a whole until the case went to trial. (The Case)

In trial, Paone’s sexual assault complaints were listed in great detail. “The Grand Jury noted that this process showed no concern for public safety or the victims of child sexual abuse.” (The Case) Local law officers had been discovered to have known of the sexual assault but withheld conviction or arresting in order to stop bad publicity for the church. (Goodstein) Paone was never convicted and instead retired in good standing in 2003 and passed away in 2012. (The Case)

Not every victim tells their story until it is too late. That is the case with Ken Liedtke. 48 years after the abuse, Liedtke let the words slip past his lips for the first time. (ODonnell) He has been asked to become an altar boy with his friend at a Catholic parish in Milwaukee. (ODonnell) A loved priest would offer alcohol, pornography, and sex to this 12 year old boys. This past haunted Liedtke for the rest of his life, causing him to be angry and become a heavy drinker. Liedtke never reported his abuse because saying the words felt dirty and “no amount of money could get him to sit down across from somebody connected to the Catholic Church.” (ODonnell) In 2010, Liedtke was diagnosed with PTSD, depression, anxiety, and personality disorder. (ODonnell) These actions brought on by a community loved parish brought pain to the Liedtke’s lives that impacted every single part of their lives and was a weight carried by the family even to this day. (ODonnell)

Media’s Influence on National Coverage

Based on news outlets, churches tend to resolve issues of sexual assault outside of courts and often behind closed doors. If the news is told to the congregation of the church, it is often much later. Media in institutions is nothing new. Since the beginning of time, messages have been shared around towns and countries. This idea can be seen throughout the Bible and throughout history. In 2018, Andy Savage, a teaching pastor at Highpoint Church in Memphis, was found to have committed sexual abuse 20 years prior in Houston, Texas. (Maxey) When he had committed the crime in 1998, church leaders had quietly dealt with the issue behind closed doors and Savage left the church. (Maxey) Twenty years later, the victim had stepped up due to the “#MeToo movement” that was happening in the media. (Maxey) She told news sources that she was nervous to speak up but because of social media’s influence, she decided it was finally time. Legal authorities have said that they cannot make charges due to the statute of limitations expiring. (Maxey) Media influenced the victim’s desire to speak out and media brought the case to the eyes of the nation. This case was covered by outlets such as Fox, ABC, the New York Times, and NBC. Just the simple search on Google of “Andy Savage” brings over fifteen pages of articles from various news sources. The abundance of news allows people from different demographic, geographic, and political viewpoints to access this news anytime, anywhere. For the first one hundred days of 2002, The New York Times had over 200 pieces written about the sexual assault brought on by Catholic priests.

Besides written media, there has been many films made concerning the sexual abuse in the Catholic Church specifically. Some of the films include *Deliver Us From Evil* by Amy Berg, *Tell No One* by Tomasz Sekielski, *Spotlight* based of the *Boston Globe*’s investigation, and *Our Fathers* by David France. These movies include real life stories based off of autobiographies. Some were specifically created in order to show the bias in the church and the lengths one will go to cover up their crimes.

Conclusion

The church, specifically the Catholic Church, has fallen behind in bringing justice to the victims of sexual assault within their buildings. After 40 years, Paone was given a honorable discharge, like a soldier would receive. The church has tended to hide these cases until the scrutinizing eye of the media is on them. Christ calls the church to more. He calls them to honor and purity which cannot be achieved through deceit, lying, and sexual immorality. On most cases of sexual assault in the church, the statute of limitations has run out due to a church's willingness to bribe a victim into silence. Victims of sexual assault hold that burden with them until they move on from this earth.

Yet, churches are not held to the same law as other businesses would be. Because of the First Amendment's rights to freedom of religion, church officials cannot be legally held in a court of law but must decide legal matters behind closed doors. This leaves church leaders in a hard spot of legal freedom and moral expectations.

References

- The Case of Father Ernest Paone. (2018). Retrieved October 14, 2020, from <https://timesofsandiego.com/wp-content/uploads/2018/08/ernest-paone-case.pdf>
- Doe v. Roman Catholic Archbishop etc. (n.d.). Retrieved October 15, 2020, from <https://law.justia.com/cases/california/court-of-appeal/2016/b264947.html>
- Goodstein, L., & Otterman, S. (2018, August 14). Catholic Priests Abused 1,000 Children in Pennsylvania, Report Says. Retrieved October 15, 2020, from <https://www.nytimes.com/2018/08/14/us/catholic-church-sex-abuse-pennsylvania.html>
- Lefevere, P. (1999, May 7). Pastors need a lawyer at their side. *National Catholic Reporter*, p. 11.
- Maxey, R. (2018, March 21). Andy Savage resigns from Highpoint Church following investigation. Retrieved October 15, 2020, from <https://www.commercialappeal.com/story/news/2018/03/20/andy-savage-resigns-highpoint-church-following-investigation/441566002/>
- Miller, Z. D., Taff, B. D., Newman, P., & Lawhon, B. (2019). A Proposed Research Agenda on Social Media's Role in Visitor Use and Experience in Parks and Protected Areas. *Journal of Park & Recreation Administration*, 37(3), 134–142.
- National Park. (n.d.). Retrieved from [https://www.merriam-webster.com/dictionary/national park](https://www.merriam-webster.com/dictionary/national%20park)
- ODonnell, E. (2020, June 23). Survivor Story: My Husband Kept His Abuse Secret for 33 Years of Our Marriage. Retrieved October 15, 2020, from <https://awakemilwaukee.org/2020/06/23/survivor-story-my-husband-kept-his-abuse-secret-for-33-years-of-our-marriage/>
- Tait, D. (2013). MANAGING A ROYAL SEX ABUSE SCANDAL How Three Religious Traditions Have Dealt with the David and Bathsheba Story. *Griffith Law*

Review, 22(1), 180–204. <https://doi.org/10.1080/10383441.2013.10854772>

Welna, D. (2020, July 16). New Vatican Guidance Urges Clergy To Report Cases Of Sexual Abuse. Retrieved October 15, 2020, from <https://www.npr.org/2020/07/16/891977309/vatican-urges-reporting-of-sexual-abuse-in-new-how-to-handbook-for-clergy>

Wheeler, R. H. (2009). The Shifting Relationship of Law and Ministry. *New Theology Review*, 22(3), 46–55.