

## Priest retires after allegation of past abuse

Two earlier suits against Rev. Miller have been settled

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A Roman Catholic priest in Louisville has retired after being accused of sexually abusing minors in the 1960s and 1970s, according to an archdiocesan official.

The Rev. Louis E. Miller, 71, had been barred from working with children since January 1990, shortly after Archbishop Thomas Kelly received a complaint against him, said Brian Reynolds, chief administrative officer for the archdiocese.

Although the church received more complaints into the 1990s — all stemming from alleged incidents in the 1960s and 1970s — Miller continued to work as chaplain of a Louisville home for the elderly, Reynolds said.

The priest opted to resign last month, shortly after another allegation arose — again from decades ago — Reynolds said.

Miller worked from the 1960s through the 1980s as an associate pastor or pastor at Holy Spirit, St. Athanasius, St. Eliza-

### A Closer Look Scandals stir call for change

The New York Times

Catholic leaders insisted for more than a decade that child sexual abuse by priests was an aberrant horror, expertly quelling any significant protest among American Catholics and containing a debate about the need to reform church traditions.

During the past several weeks, however, that seems to have changed as the sex scandal has grown.

A growing number of Catholics are calling for a re-examination of everything from the celibate, all-male priesthood to the limited role of laity in the governance of parishes and dioceses.

■ A betrayal of trust. A5

beth of Hungary in Louisville and St. Aloysius Church in Pewee Valley, St. Ann in Howardstown, and Our Lady of

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# Priest retires after abuse allegation

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Mercy in Hodgenville. From 1963 to 1973, he also worked as a chaplain at St. Mary & Elizabeth Hospital.

Phone messages left at Miller's new home in a retirement community for priests was not returned. Kelly declined to be interviewed, deferring comment to Reynolds.

No criminal charges have ever been filed against Miller. But he has been accused of abuse in two civil suits filed in Jefferson Circuit Court, one in 1990 and another in 1999, filed by a niece of the priest.

In both suits, adults accused Miller of abusing them when they were minors. According to court records, Miller denied the charges, and both suits were settled out of court.

The archdiocese has refused to reveal specifics of complaints it has received about Miller — or to say exactly how many have been filed. But Reynolds confirmed that it has made payments to alleged victims for such things as counseling.

The archdiocese has never reported the complaints against Miller to police or prosecutors, and there is no record of any complainants having made reports to law enforcement.

Since at least 1987, Kentucky law has required all citizens to alert police if they suspect a child is being abused. But the law doesn't cover instances when an adult brings allegations of having been abused as a child years earlier, as with the allegations against Miller.

Asked if the church should have reported these cases, Reynolds said, "our primary concern would be the moral obligation to protect children and make sure that the people who church officials relate to are safe. (And) we have a moral obligation to follow the law." But he acknowledged reporting past abuse poses a serious moral concern.

"The question of the need to report historical cases is a significant topic that I believe needs further exploration in the church and the courts," he said.

Reynolds said alleged victims of sexual abuse by priests often ask the church to keep their cases confidential, though he did not specify whether complainants against Miller made such requests. Reynolds added that the church cooperates with police when they look into a case. And, "in the cases that have been brought to us involving someone who is a child at the time the alleged abuse is reported, we've always had the authorities involved," he said.

There have been no such cases in the past decade involving priests, but he said virtually every Catholic school in the archdiocese has called the authorities at some point when there was evidence that a student may have been abused by someone, whether at the school or elsewhere.

Reynolds said in an interview that the archdiocese has no record of receiving complaints against Miller during the 1960s or 1970s.

But he acknowledged, "we're

talking about two archbishops ago. . . . There weren't records on those kinds of things" in the decades before clerical sexual abuse became a major public issue.

## 'It should be reported'

Miller's case has come to light at a time when the Roman Catholic Church worldwide is being shaken by reports of officials covering up the conduct of abusive priests.

As a result, some U.S. dioceses, notably New York and Boston, have decided to provide civil authorities with the name of any priest accused of abuse — and not just those in which the alleged victim is currently a minor.

A spokesman for Jefferson County Commonwealth's Attorney Dave Stengel said no organization should keep the crimes of its employees a secret.

"If there is any felony crime that has taken place in Jefferson County, we believe it should be reported," said Assistant Commonwealth's Attorney Jeff Derouen. "And we or the police will investigate."

He noted that there is no statute of limitations on felonies in Kentucky, meaning that serious cases of sexual molestation can be prosecuted even decades after the fact.

"Obviously it would be harder to prove if the felony is farther and farther (back) in time," he said. But "if there's enough evidence for a prosecutable offense, they should send the evidence to people who prosecute."

## A priest removed

In December 1989, Kelly was informed by Miller that a family had just complained of his conduct in 1977 at St. Elizabeth of Hungary parish, where Miller had served since 1976, Reynolds said.

By January 1990, Kelly had met with the alleged victim, Mark Delmenhorst, and his parents; removed Miller from his post at St. Elizabeth; and required Miller to undergo psychological testing. Kelly also decided to keep Miller from assignments where he would work with children, according to Reynolds.

Since then, Miller did financial work for a brief time at Holy Name Church in Louisville, but his main assignment was at Sacred Heart Village, a retirement home on Payne Street. Miller's supervisors at both the parish and Sacred Heart were told of the allegations against the priest and that Miller should stay away from children, Reynolds said. He said no one has complained to the archdiocese about any alleged incidents taking place since the late 1970s.

"From the report from the medical professionals and the treatment that Father Miller was engaged in, we didn't see, nor did the medical professionals see, that he would necessarily be a danger to anyone further," Reynolds said.

Miller regularly has seen a psychologist who specializes in treating sex offenders, accord-

ing to court documents.

## Lawsuit filed in 1990

Delmenhorst filed suit in 1990, accusing Miller of abusing him in 1977 — at a time when Miller was stationed at St. Elizabeth, and Delmenhorst was 15.

Miller denied Delmenhorst's allegation.

In his suit, Delmenhorst accused the archdiocese of "concealing the sexual tendencies" of Miller, and he named it as a defendant, along with Miller, St. Elizabeth, and the U.S. Catholic Conference, now known as the U.S. Conference of Catholic Bishops.

In court papers, the archdiocese and the conference denied Delmenhorst's allegation.

Delmenhorst said in a sworn statement that he once had viewed Miller "as an authority figure with high moral standards." The lawsuit said Delmenhorst and his family were devout Catholics who had a close relationship with Miller, and it said even Delmenhorst's parents had difficulty at first believing their son's allegations.

Delmenhorst said in an affidavit that he had suppressed the memory of the abuse until 1989, when a crisis in his marriage revived it.

He declined to comment to a Courier-Journal reporter.

"It was devastating to him," recalled the plaintiff's attorney, Kevin George, in an interview Wednesday. George said lawyers representing the archdiocese and its insurance company spoke sympathetically about the alleged abuse, but also pointed out that the one-year statute of limitations for filing a civil claim had passed.

The case eventually was settled out of court in an agreement that forbade Delmenhorst and his wife at the time from discussing the terms of the agreement. George said his clients did not insist on the same requirement for church officials.

The terms of the settlement were not disclosed, but George said, "The ability to negotiate a settlement was compromised by the statute-of-limitations problem."

## Another suit

In a deposition given as part of a separate lawsuit filed by Miller's niece in 1999, the plaintiff's aunt testified that she had heard that the priest — her brother-in-law — had been transferred out of two parishes because of alleged misconduct. Those were St. Athanasius in the 1960s and St. Aloysius in the 1970s, she said.

The aunt, Mary J. Miller, said she had heard, for example, that her brother-in-law had gotten into trouble at St. Athanasius for speaking about sexual things with a group of boys. "Apparently the parents found out, and he was no longer there," she testified.

In his deposition, Rev. Miller said he did not know of any complaints against him while he was at St. Athanasius. He was not asked specifically about St. Aloysius, but he denied being a pedophile or molesting "boys in church."

Rev. Miller also said he went on sabbatical in January 1990 to take care of his ailing father and take university courses.

In her suit, Miller's niece, Mary C. Miller, accused him of molesting her on several occasions in the 1970s, when she was 10 to 15 years old — allegations the priest denied in court records.

In her suit, the niece said that in 1998, the priest committed "an intentional and offensive act" by approaching her at a family funeral, reaching out to touch her arm and saying, "That ought to hold you for awhile."

In a deposition, Miller denied reaching out or making that statement, saying only that he said hello and that his niece introduced him to a friend who was with her.

The lawsuit alleged Miller's action was "intended to renew the mental anguish and emotional distress caused by (Rev. Miller's) previous sexual assaults upon" Mary C. Miller, now 39.

The lawsuit was not seeking damages for the alleged abuse, but for the encounter at the funeral that allegedly revived the trauma.

According to court records, Mary C. Miller informed the archdiocese of her allegations just before filing her suit in 1999.

Rev. Miller and Mary C. Miller ultimately settled the lawsuit out of court in 2001 for an undisclosed sum.

Mary C. Miller declined to comment about the case, and her aunt could not be reached.

While the archdiocese itself was not sued, Mary C. Miller's attorney subpoenaed Archbishop Kelly and another church official to testify in pre-trial depositions.

Walton Jones, a deacon who was director of clergy personnel from 1999 to 2001, testified in March 2000 that he knew of no other accusations against Miller beyond what Mary C. and Mary J. Miller had told him about in meetings.

Kelly said in his testimony that he couldn't remember if he ever spoke with Rev. Miller about the lawsuit, but if he did, "it would be in the realm of confidentiality," he said, alluding to Kentucky rules of evidence allowing some pastoral conversations to remain secret.

The judge in the case, Ernest Jasmin, agreed with the archdiocese that its personnel file on Miller was irrelevant to the case and could not be admitted as evidence.

## Past convictions

Until recently, Louisville had only two publicly known cases of clergy sexually abusing children — the convictions of a priest and a deacon in the 1980s.

Last month, a Carmelite priest who worked at St. Francis DeSales School in Louisville from 1966 to 1973 was fired as principal of a Los Angeles Catholic high school after allegations arose of sexual misconduct with teen-age boys in California and in five incidents in Louisville.