

Mexican cardinal deposed in abuse case

The Miami Herald
Aug. 08, 2007

MEXICO CITY --

Mexico's most prominent cardinal was deposed Wednesday in a U.S. lawsuit accusing him of complicity in the alleged rape of a child by a Mexican priest.

Cardinal Norberto Rivera and his lawyers rushed past reporters and photographers waiting outside offices of the Archdiocese of Mexico without giving comment.

Later in the afternoon, archdiocese spokesman Rev. Hugo Valdemar Romero said Rivera gave his statement voluntarily and argued that a Los Angeles court should not be handling a case involving Mexican clergy and an alleged victim in Mexico.

In a lawsuit filed in Los Angeles Superior Court in September, Joaquin Aguilar Mendez alleges he was raped by priest Nicolas Aguilar in Mexico City in 1994 when he was 12 years old.

According to the suit, Aguilar Mendez had gone to the priest's room at the rectory to use a restroom when he was grabbed and sodomized.

The alleged rape came after the priest already had been charged with 19 felony counts of committing lewd acts on a child in California.

The suit alleges that Rivera conspired with Los Angeles Cardinal Roger Mahony to protect Rev. Aguilar. It accuses Rivera and Mahony of negligence, intentional infliction of emotional distress, civil conspiracy and sexual battery, and charges Aguilar with sexual battery.

The victim's attorney, Jeffrey Anderson, said Mahony settled with Aguilar Mendez privately last month around the same time the archdiocese reached its record-breaking \$660 million settlement with alleged abuse victims.

He said Aguilar Mendez's case, however, was handled separately and the amount was "modest" compared to the average \$1.3 million promised to other victims.

Anderson said Rivera's attorneys in Los Angeles had sought to limit the scope of the deposition and prevent the plaintiff from videotaping it and filing a transcript with the Los Angeles Superior Court. Judge Elijah Berle denied their motions.

Attorneys from both sides, a court representative, and a translator were at the deposition. Mexican Bishop Rodrigo Aguilar Martinez from Puebla state was scheduled to be deposed Thursday, said Eric Barragan of the Chicago-based Survivors Network of those Abused by Priests, known as SNAP, which had backed Aguilar Mendez.

Rivera's attorney, Bernardo Fernandez, has said only a Mexican court has the authority to rule on the lawsuit. Proponents of the suit argue it involves church officials from both countries.

The lawsuit alleges Rivera, who was a bishop in Puebla state, transferred Aguilar to Los Angeles in 1988 for nine months despite knowing of allegations of abuse against the priest.

In a declaration filed in February, Rivera said he sent a letter to Mahony in 1987 suggesting Rev. Aguilar had problems. Tod Tamberg, spokesman for Mahony, has said the U.S. cardinal never received the letter.

A Los Angeles court gave Mexico extradition orders for Rev. Aguilar in 1988 and 1993, but he continued to work as a priest in Mexico. Since the filing of the lawsuit, his whereabouts have been unknown.

Barragan said the Los Angeles court is expected to decide whether to proceed with the case in September.