

CASE STUDY

# PHILIP ANTHONY MAGALDI

(1936- )

## DIOCESAN PRIEST

Active in these dioceses:  
*Providence, Rhode Island*  
*Fort Worth, Texas*



Current Status: Suspended from Priesthood  
Location: Fort Worth, Texas

Philip Magaldi broke several commandments in serious ways: by stealing from his parish, by abusing teenage boys, and by bearing false witness in an attempted murder trial. Like other priests, he was protected from the consequences of his actions. He claimed he pled guilty to theft only to protect his bishop from insinuations. His narcissism and sense of immunity led him to fondle a boy in front of a bishop. Only after a long career of abuse was he suspended, and he is now dying of AIDS.



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## Theft, Perjury, and Perversion: The Career of the Rev. Philip Magaldi

Sexual abuse is rarely an isolated crime. The Rev. Philip Magaldi indulged in an unusual perversion with teenage boys, stole from his parish, and perjured himself in an attempted murder case. He now claims to be blind, demented, and unable to answer questions about his career. Reporting and books about the murder case provide a context for the private activities of Magaldi, which are detailed in his personnel file from the Diocese of Fort Worth, Texas.

### *Early Career*

Philip Magaldi studied in Rome and was ordained in 1960. After spending the first years of his career at various Rhode Island parishes, from 1968 to 1969 he was business manager for the North American College in Rome. He moved on to become assistant chancellor of the Providence (Rhode Island) Diocese. In 1976, he became pastor of St. Anthony's in North Providence.

Colleagues describe Magaldi as “an extremely likeable priest, very popular with clergy and lay folks.”<sup>1</sup> His parishioners agreed, saying:

- “Father Magaldi was a priest who gave excellent sermons, and who was unbelievably persuasive. He could make you laugh and could make you cry. He put his heart and soul into the Mass”
- “He was so warm and terrific”
- “He’s one of the most thoughtful and kindest of men”<sup>2</sup>
- “That man is a jewel.”<sup>3</sup>

Magaldi's popularity fueled his intense narcissism and gave him access to sex, money and power.

### *Thomas A. Marks*

In the early 1970s, Thomas A. Marks, who was perhaps fourteen or fifteen years old, was riding his bicycle in Worcester, Massachusetts, about fifty miles from Magaldi's parish. Marks' bike got a flat tire and Magaldi, who was driving by, stopped to offer him a ride home. They dropped off the bike at the boy's home and went to a hotel, where Magaldi asked the boy to give him an enema. Magaldi boasted about being priest and showed Marks his clerical clothes. He then gave the boy an enema, telling Marks he was cleansing him with “holy water.” Magaldi performed oral sex on the boy, and then warned Marks not to tell anyone. Magaldi said that if Marks told, “no one would ever believe him, he

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<sup>1</sup> Fort Worth Documents 0471.

<sup>2</sup> Richard C. Dujardin, “They Love Their Priest in Texas: Father Magaldi Still Has His Supporters Despite Embezzlement,” *Providence Journal-Bulletin*, March 14, 1992.

<sup>3</sup> Tara Dooley, “Priest's Past Not News at His Church: Work of Pastor Eclipses 1992 Embezzlement Conviction, Backers Say,” *Fort Worth Star-Telegram*, April 14, 1998.

would never see his father and mother again, and he, the plaintiff, would burn in hell for eternity.”<sup>4</sup> Magaldi then gave the boy \$300.

Magaldi and Marks began a sexual relationship, which Magaldi financed by stealing money from his parish. Marks’ life quickly spiraled downward: he tried to ease his emotional pain with alcohol and drugs and later became a male prostitute. Interestingly, years later Magaldi was cruising the streets and picked up the now grown Marks.<sup>5</sup>

### ***The von Bülow Case***

Magaldi soon began a curious association with David Marriott, a Providence-area prostitute and drug dealer. The relationship offers evidence that Magaldi thought himself protected from the consequences of his burgeoning criminal lifestyle. That lifestyle led to his direct involvement in the von Bülow attempted murder case.

In 1966, Martha “Sonny” Crawford, heiress to a natural gas and oil fortune and the ex-wife of Prince Alfred von Auersperg, met and married Claus von Bülow. They settled in Newport, Rhode Island and had a daughter, Cosima.

In 1979, Sonny fell into a coma. She recovered, but at end of 1980 fell into another. The state of Rhode Island alleged that Sonny’s husband Claus twice injected her with insulin, trying to kill her. The state said Claus’ affair with actress Alexandra Isles provided a motive to kill his wife, because Alexandra insisted that Claus leave Sonny. In the first trial, the jury found Claus guilty of attempted murder.

Desperate, von Bülow hired defense attorney Alan Dershowitz, who years later defended O. J. Simpson. Von Bülow told Dershowitz that a few days after the guilty conviction, David Marriott called him and arranged a meeting. Marriott told von Bülow that he delivered drugs to Alexander von Auersperg, Sonny’s son from her first marriage, at Clarendon, the von Bülows’ mansion.

Marriott alleged that a mutual friend (who was later murdered) asked him to deliver the packages to Alex. Marriott said he eventually discovered the packages contained drugs and hypodermics, and that Alexander said he shared them with his mother. Marriott’s claim offered some evidence that Sonny was an addict and might accidentally have put herself into a coma.

Dershowitz believed Marriott’s story for two reasons:

- Truman Capote, a mutual friend, told Dershowitz independently that Sonny tried to teach him how to inject himself with vitamins, and that she injected amphetamines

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<sup>4</sup> Fort Worth Documents 0699. All documents numbered in this fashion were released by the Diocese of Fort Worth and are available at BishopAccountability.org.

<sup>5</sup> Fort Worth Documents 0446.

- Respected Catholic priest Philip Magaldi corroborated Marriott's story

### ***Magaldi's Perjury***

Dershowitz was at first skeptical of using the testimony of Marriott, a known drug dealer and male prostitute, to help von Bülow's case. But he asked around about Magaldi and got the highest of recommendations: Magaldi, it seemed, was a friend of Rhode Island Attorney General Dennis Roberts.<sup>6</sup>

Magaldi told Dershowitz that he met David Marriott several years before, when a mutual friend sent Marriott to Magaldi for counseling. Magaldi said he saw Marriott and Alexander von Auersperg together and that in 1978, Marriott told Magaldi about drug deliveries to the von Bülow house.

Magaldi and Marriott "reluctantly" agreed to provide affidavits in the case. Dershowitz soon announced that he "discovered dramatic new evidence that demonstrates the invalidity of every key aspect of the state's case and establishes defendant's innocence."<sup>7</sup> Just before Dershowitz filed his request for a new trial, Marriott claimed that one of the women he had directly delivered drugs to was Sunny von Bülow.<sup>8</sup> Marriott also alleged he had been run off the road in an attempt to keep him from testifying in the case.<sup>9</sup> Magaldi said he received a death threat.<sup>10</sup>

In February 1984, after the new trial request was submitted, Marriott changed his story. He claimed his affidavit was not completely true; he and Magaldi did not meet in the way they claimed. Marriott announced he was withdrawing his affidavit and said he had given drugs to Sonny's husband, Claus von Bülow.<sup>11</sup>

Marriott also made audio tapes of conversations with von Bülow and Magaldi, which were eventually handed over to the state. The tapes revealed that when Marriott met Magaldi, Magaldi was leading a "sordid double life"<sup>12</sup> under the name of Paul Marino.<sup>13</sup>

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<sup>6</sup> Alan Dershowitz, *Reversal of Fortune: Inside the von Bülow Case* (Birmingham, Alabama: The Notable Trials Library, 1986) p. 153.

<sup>7</sup> Dudley Clendinen, "Questions Are Raised about New Evidence in von Bülow Case," *New York Times*, October 14, 1983.

<sup>8</sup> Alan Dershowitz, *Reversal of Fortune: Inside the von Bülow Case* (Birmingham, Alabama: The Notable Trials Library, 1986) p. 134.

<sup>9</sup> Dudley Clendinen, "Questions Are Raised about New Evidence in von Bülow Case," *New York Times*, October 14, 1983.

<sup>10</sup> Magaldi told police two men confronted him at night outside his rectory and told him "We don't want to hurt you. If you and Marriott don't keep your mouths shut, you're both going to get wasted" ("Von Bülow Figures Alleges Threat," *Boston Globe*, January 29, 1984).

<sup>11</sup> Dudley Clendinen, "Tape Recordings an Issue in New von Bülow Trial," *New York Times*, March 29, 1985.

<sup>12</sup> "Von Bülow Case Figure a Key in Priest's Trial," *Boston Globe*, September 2, 1985.

<sup>13</sup> Alan Dershowitz, *Reversal of Fortune: Inside the von Bülow Case* (Birmingham, Alabama: The Notable Trials Library, 1986) p. 210.

The tapes also proved that the two men met not through friends, as their affidavits claimed, but in the Boston bus station.<sup>14</sup>

During jury deliberations at the second von Bülow trial, Philip Magaldi was indicted on one count of perjury and one count of obstruction of justice.<sup>15</sup> Von Bülow was acquitted on the grounds that a key piece of evidence was improperly handled and therefore inadmissible. Marriott quickly dropped out of view.

When news of Magaldi's indictment broke, 5,000 parishioners petitioned Rhode Island Attorney General Arlene Violet (a former nun) to have mercy on this "sincere, honest, trustworthy and reliable" priest. They warned Violet that they "could never vote for you again" if she pursued the case. A delegation sporting "I Love Magaldi" buttons presented the petition.<sup>16</sup>

Magaldi pleaded innocent to the charges against him. Unfortunately for the state, the audio tape was found to have been tampered with, and therefore considered inadmissible.<sup>17</sup> In June 1987, the state dropped the charge of perjury against Magaldi.

Though a definitive explanation for Magaldi's actions is not clear, Marriott alleged that von Bülow paid Magaldi to submit a false affidavit. This claim is probably false. Certainly, if authorities could have proven Marriott's allegation, von Bülow's guilt would have been established beyond doubt. But they were unable to. Still, it is possible that von Bülow made a payment to Magaldi under the guise of donating royalties from his book to a charity of Magaldi's choice.<sup>18</sup>

The most probable explanation for Magaldi's actions, however, is that they were rooted in his own narcissism. He saw the chance to attract attention, to be involved in a world-famous trial, and to be courted by the media. This sort of opportunity is irresistible to a narcissist, particularly one who is disconnected from reality and does not believe he will suffer the consequences of his actions.

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<sup>14</sup> "Von Bülow Case Figure a Key in Priest's Trial," *Boston Globe*, September 2, 1985.

<sup>15</sup> Tracy Breton, "N. Providence Priest Reported Indicted for von Bülow Statement," *Providence Journal-Bulletin*, June 9, 1985.

<sup>16</sup> "5,000 Tell Violet in Petition that Father Magaldi is 'Sincere,'" *Providence Journal*, June 29, 1985.

<sup>17</sup> Tracy Breton, "State Drops All Charges against Father Magaldi," *Providence Journal-Bulletin*, June 19, 1987. Dominick Dunne listened to the tapes and heard discuss "getting the late Raymond Patriarcha, the Mafia chieftain of Providence, to get a drug dealer serving time in jail to say Alexander von Auersberg had been one of his customers," and also "von Bülow's alleged offer to help the priest be elevated to a bishop" (*Justice: Crimes, Trials, and Punishments* [New York: Three Rivers Press, 2002] p. 92). Magaldi had boasted of his Mafia connections; his connections in Rome and work as Chancellor put him in line for consideration as a bishop.

<sup>18</sup> Dominick Dunne quoted a letter that Cindy Adams printed in the *New York Post*. In it von Bülow wrote to Magaldi: "I want to repeat my wish to consult with you in finding an acceptable charity for donating the royalties of my book. The total profits, including film rights, could be anything between \$500,000 and \$1,000,000" (*Justice: Crimes, Trials, and Punishments* [New York: Three Rivers Press, 2002] p. 91). This offer could have been motivated by a desire not to profit from a family tragedy, or perhaps by something else.

Unfortunately for Magaldi, his legal troubles were not over.

### ***A Parish Theft***

One year after Magaldi was acquitted in connection with the von Bülow case, he resigned from his pastorate at St. Anthony's Church in North Providence amid an accounting scandal.<sup>19</sup>

Magaldi left Providence in June 1988 to study Spanish in San Antonio, Texas. Providence Bishop Louis Edward Gelineau said Magaldi's departure was due to "accounting errors."<sup>20</sup> More than \$400,000 was missing from St. Anthony's.<sup>21</sup> In November 1990, these errors culminated in charges that Magaldi stole half the missing money. Prosecutors alleged Magaldi used the money to take teenage boys to Frenchmen's Reef Hotel<sup>22</sup> in the Virgin Islands, and that he gave a boy he met in a Montreal park enough money to buy a car.<sup>23</sup>

At first, Magaldi pleaded innocent to the charges. But in May 1992, he pleaded guilty to forging five checks and to "coercing a St. Anthony volunteer worker to send him \$2,500 from weekly mass collections after he had left the parish for Texas."<sup>24</sup> Magaldi was sentenced to two years in prison and served eight months in a work-release program.

Though Magaldi explained to his stalwart supporters that he pleaded guilty only to stealing an amount of more than \$500, the state said it could prove he stole more than \$123,000.<sup>25</sup> Magaldi said he simply paid some elderly Church employees in cash so they would not have to pay taxes – wrong, but not theft. He also admitted asking a St. Anthony's employee to send him \$300 a week for living expenses while he was studying in San Antonio. Magaldi admitted this was embezzlement, but said he intended to repay it.<sup>26</sup>

Interestingly, Magaldi also said he pleaded guilty so that certain important people would not be embarrassed by testimony at the trial. Publicly, he identified these as "a banker and a Providence politician."<sup>27</sup> Years later, in a December 1998 interview with Lt. Robert

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<sup>19</sup> "Priest Resigns After Accounting Errors," *Boston Globe*, June 1, 1988.

<sup>20</sup> "Priest Resigns After Accounting Errors," *Boston Globe*, June 1, 1988.

<sup>21</sup> Jerry O'Brien, "Parish Is Relieved by Indictment," *Providence Journal*, November 9, 1990.

<sup>22</sup> A comment on the Frommer's website says of Frenchman's Reef that "Back in early 80's it was a property that catered to the gay community."

<sup>23</sup> Tracy Breton, "Fr. Magaldi Gets 2 Years for Stealing," *Providence Journal*, May 6, 1992.

<sup>24</sup> "Priest Gets Jail for Embezzlement," *Boston Globe*, May 7, 1992.

<sup>25</sup> Magaldi's annual salary as a priest was between \$6,000 and \$8,000. An investigator said "that over more than three years, there was a \$218,000 difference between what Father Magaldi spent on personal expenses and the income he earned from the parish" ("Priest Pleads Guilty in Theft: Stole \$123,400 from Parish," Tracy Breton, *Providence Journal-Bulletin*, February 29, 1992).

<sup>26</sup> Richard C. Dujardin, "Priest wants Parish to Help Keep Him Free of Jail Term," *Providence Journal*, April 6, 1992.

<sup>27</sup> Brooks Egerton, "Bishop Hired Two Priests after Suspensions: He Defends Their Work Since Joining F[orth] W[orth] Diocese," *Dallas Morning News*, August 12, 1998.



McCarthy, retired from the Massachusetts State Police, he names someone else. That person's name is redacted, but evidence indicates it might be Bishop Gelineau.

### ***Saving Bishop Gelineau***

In Rhode Island, rumors have long circulated that Bishop Gelineau was arrested with a teenage boy in his car and the arrest was suppressed.<sup>28</sup> At the same time Magaldi was stealing money from the parish, so was parish employee Robert M. Graham,<sup>29</sup> who was familiar with the Gelineau rumors. As Magaldi's trial unfolded, Graham prepared to admit in open court that he had stolen the money. He said he did it because he knew Magaldi also was stealing – but getting away with it because he had a sexual relationship with Bishop Gelineau.

Magaldi discovered Graham's intentions by reading through the interrogatories.<sup>30</sup> Magaldi knew the media already thought he was a homosexual; specific mentions of his visits to Frenchman's Reef Hotel, a resort popular among gays at the time, in news reports covering the case, showed that reporters suspected Magaldi. Though Gelineau and Magaldi would have denied allegations of a sexual relationship, Magaldi knew the media would cover Graham's testimony and the public would assume it confirmed the rumor of Gelineau's arrest. To spare Gelineau the disgrace, Magaldi pleaded guilty.

Bishop Joseph P. Delaney of Fort Worth, Texas, a former classmate and future colleague of Magaldi's, later noted that Magaldi "maintained and continues to that he was in fact not guilty, but by pleading guilty he was saving the bishop of Providence from a lot of difficulties – in other words, he was really a martyr."<sup>31</sup>

Had the principals been behaving rationally, Graham's allegation would have seemed clearly false: if Gelineau and Magaldi had a sexual relationship, Gelineau would never have permitted the police to investigate the finances of St. Anthony's without consulting Magaldi. The fact that Gelineau turned the investigation over to the police suggests the

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<sup>28</sup> A website that collects stories about Mayor Buddy Cianci of Providence has this story: "All this stuff about priests in the newspapers the past few months reminds me of the days when Buddy laughed about having the Providence police patrol specific haunts looking for Bishop Gelineau in drag. Buddy claimed the police would find the Bishop in a car beneath some Route 195 viaduct, dressed like a woman, and necking with some young man. Buddy had the police take the Bishop home more than once. Buddy was certain the Catholic Church in Rhode Island would never have any complaints about his own city administration. He had sewn their mouth shut."

<sup>29</sup> "In a related development, the grand jury indicted Robert M. Graham, 23, of 29 Salem Drive, North Providence, a church employee from 1987 through 1989, on a charge of embezzlement (Joseph Driscoll, "Ex-Pastor in N. Providence Indicted in Embezzlement," *Providence Journal*, November 8, 1990). His suspected theft led to a police investigation that "showed that Father Magaldi had stolen money from the parish's Bingo, building, and activities fund." The diocese had not initiated any investigation of Magaldi, whose theft was discovered as a result of the investigation of Graham, an investigation which the diocese has asked the police to conduct.

<sup>30</sup> Fort Worth Documents 0564-7. Their names are redacted, but Magaldi is clearly speaking of Gelineau and Graham.

<sup>31</sup> Fort Worth Documents 0472.

allegations were baseless. Nonetheless, scurrilous rumors about Gelineau circulated around Rhode Island.

### ***Magaldi's Counseling Methods***

Despite two criminal trials and a prison sentence, Magaldi's outrageous behavior continued. In July 1995, a college student went to Magaldi, now at St. John the Apostle Church in Fort Worth, Texas, for confession to discuss a "sensitive personal matter."<sup>32</sup> As the boy was an adolescent, it was "a sexual matter."<sup>33</sup> Magaldi offered the boy "significant personal instances regarding the same subject, ostensibly to help [him] deal with the situation." Confession is often used by abusers to target boys with sexual problems.

Magaldi built a relationship with the boy, taking him out to dinner at expensive restaurants, plying him with wine and beer, introducing him to others as his "nephew." The boy at first thought the relationship would strengthen his faith, but later, during swimming sessions at Magaldi's apartment, found the clergyman becoming overly familiar.

Magaldi told the boy he had a medical condition and required enemas. He asked the boy to give him one, explaining that his doctor had ordered it and it would cost \$25 at the office. The boy told Magaldi that Magaldi's mother should do it. Magaldi said that would be too embarrassing. Reluctantly, the boy agreed to do this on four occasions.

The boy told authorities about his relationship with Magaldi. Magaldi admitted the strange enema procedure to diocesan officials, who did not believe the enemas were in fact medically indicated; they thought Magaldi had "demonstrated sexually inappropriate behavior."<sup>34</sup> Magaldi did not think he had done anything wrong. His punishment from the diocese was to work at a food bank.<sup>35</sup>

Although Bishop Delaney of Fort Worth was aware of Magaldi's involvement in the von Bülow case—an involvement which included an indictment for perjury—neither Delaney nor anyone else in the chancery seemed to be aware of Dershowitz's book *Reversal of Fortune* (about the two Claus von Bülow trials) or of newspaper stories that indicated Magaldi's involvement with young men.

If they had researched details of the case, they would have discovered that Philip Magaldi had a double identity as Paul Morino,<sup>36</sup> and that he met David Marriott at a bus station, not through a counseling relationship.<sup>37</sup> These details would have offered context for the

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<sup>32</sup> Fort Worth Documents 0427-9.

<sup>33</sup> Fort Worth Documents 0430-1.

<sup>34</sup> Fort Worth Documents 0427-9.

<sup>35</sup> Fort Worth Documents 0436.

<sup>36</sup> Alan Dershowitz, *Reversal of Fortune: Inside the von Bülow Case* (Birmingham, Alabama: The Notable Trials Library, 1986) p. 210.

<sup>37</sup> Alan Rosenberg, "St. Anthony's Pastor is Indicted in Connection with von Bülow Case," *Providence Journal-Bulletin*, June 12, 1985. Alan Dershowitz, *Reversal of Fortune: Inside the von Bülow Case* (Birmingham, Alabama: The Notable Trials Library, 1986) p. 262.



college student's allegations about Magaldi, and exposed them as part of a pattern. It might also have led Delaney not to make Magaldi "chaplain of the diocesan scouting program."<sup>38</sup>

The abuse remained secret until the late 1990s, when Rev. Thomas Teczar,<sup>39</sup> also a priest in the Fort Worth area, was charged with aggravated sexual assault. He was eventually convicted and sentenced to twenty-five years in prison. As light shone again on misconduct of the clergy, Magaldi's past behavior suddenly became a matter of interest to local media.

Despite the negative media coverage, Magaldi continued to enjoy strong support from his parishioners: in fact, on August 16, 1998, Magaldi "received a thunderous standing ovation from parishioners when he vowed that news reports about his embezzlement conviction would not force him to leave St. John the Apostle Catholic Church."<sup>40</sup>

### ***The Past Returns***

On November 2, 1998, Thomas Marks—Magaldi's Worcester, Massachusetts victim—called the Diocese of Providence and told them he had been sexually abused by the Rev. Philip Magaldi. He recounted his experience, and said, "if anybody else has made an allegation against this guy, ask them about the enemas."<sup>41</sup>

By 1998, Marks' life was in pieces. Divorced and living with his parents, his children were living with his ex-wife. In attempting to deal with his abuse, Marks used heroin and cocaine for twenty years, got into trouble with the law, and was a street prostitute. He also attempted suicide and was in and out of rehab. His sponsor at Alcoholics Anonymous "advised him there would be no closure unless this [abuse] was addressed." He called the Providence diocese to "deal with his own personal demons, as well as preventing any other young adult or teenager from further abuse by the Reverend Philip Magaldi, whom he classified as 'a predator.'"<sup>42</sup> Marks wanted to go back to his children and "be the father they never had."<sup>43</sup>

Lt. Robert McCarthy, retired Massachusetts policeman, interviewed Marks and determined he was telling the truth. In Fort Worth, Bishop Delaney read the interview report and was relieved to find "there did not seem to be any immediate danger of publicity."<sup>44</sup>

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<sup>38</sup> Brooks Egerton, "Bishop Hired Two Priests after Suspensions: He Defends Their Work Since Joining F[ort] W[orth] Diocese," *Dallas Morning News*, August 12, 1998.

<sup>39</sup> In March 2007 Teczar was convicted of aggravated sexual assault and sentenced to twenty-five years in prison ("25-Year Sentence for Priest," *Worcester Telegram and Telegraph*, March 8, 2007).

<sup>40</sup> Nita Thurman, "Priest Vows to Keep Job Despite Crime: Churchgoers Applaud Pledge after Embezzlement Reports," *Dallas Morning News*, August 17, 1998.

<sup>41</sup> Fort Worth Documents 0475.

<sup>42</sup> Fort Worth Documents 0489-90.

<sup>43</sup> Fort Worth Documents 0536.

<sup>44</sup> Fort Worth Documents 0449.

On December 19, 1998, Delaney met with Magaldi, who denied everything. He said he had never heard of Marks. Magaldi told Delaney “the Devil was definitely at work” in these false allegations. “I have never performed oral sex on anybody. I have never raped anybody,” he said. He claimed was all “a complete lie.”<sup>45</sup> Delaney pointed out a strange coincidence: both the Texas boy and the New England accuser mentioned Magaldi’s interests in enemas. Magaldi said the matter was “diabolical, definitely ... diabolical”<sup>46</sup> and added that the enemas were “an unfortunate coincidence.”<sup>47</sup>

To Magaldi’s surprise, the diocesan investigator talked to Alan Dershowitz. Delaney explained to Magaldi that Dershowitz was “known for his sexual misconduct thing. He’s out to get the Church.” Magaldi said that Dershowitz “has always been very good to me,”<sup>48</sup> perhaps not remembering that he and Marriott once gave Dershowitz falsified affidavits. Delaney asked whether Magaldi would take a polygraph and be interviewed in Providence. Magaldi agreed.

### ***Interview with Magaldi***

Magaldi floundered through his December 1998 interview with Lt. McCarthy of the Massachusetts State Police. He tried to cast suspicions on David Marriot and other unspecified enemies who were out to ruin him by a vast conspiracy. He also learned that Marks had agreed to a polygraph. Several months later, on April 7, 1999 Marks was asked:

Did Father Magaldi ever give you an enema?

Answer: Yes.

Did you ever engage in oral sex while in the city of Worcester with Father Magaldi?

Answer: Yes.

Did you ever have anal sex with Father Magaldi?

Answer: Yes.

The examiner concluded “No reactions indicative of deception were recorded.”<sup>49</sup>

Magaldi also took a polygraph. When Magaldi was first questioned about having sex with Marks, the examiner concluded that he “was not telling the truth”<sup>50</sup> and there were “reactions indicative of deception.” Through his attorney, Magaldi arranged for a second polygraph. This time, when Magaldi denied having oral or anal sex with Marks, the

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<sup>45</sup> Fort Worth Documents 0451.

<sup>46</sup> Fort Worth Documents 0456.

<sup>47</sup> Fort Worth Documents 0459.

<sup>48</sup> Fort Worth Documents 0461.

<sup>49</sup> Fort Worth Documents 0660.

<sup>50</sup> Fort Worth Documents 0630.

examiner concluded “he is telling the truth.”<sup>51</sup> As a result, the polygraph was inconclusive and Delaney considered trying to pawn him off on another diocese.<sup>52</sup>

Also during this time, Magaldi’s parishioners hired a private detective, John M. Lajoie, to investigate Marks. Lajoie produced a report that concluded Marks’ accusations were unfounded, and that Marks, who was Jewish, even claimed to have been an altar boy. Lajoie said that “his suits were an attempt to get money from the Catholic Church.”<sup>53</sup>

Magaldi was triumphant and felt completely vindicated: “I want to be restored to full-time ministry,” including working with young people, he said.<sup>54</sup> Delaney considered granting Magaldi limited faculties.

On April 29, 1999, authorities told Magaldi’s parish that he had been formally accused of sexual abuse. Magaldi retired, denying everything, and denouncing the allegation as “false and frivolous” and “an attempt to extort money from the Diocese of Fort Worth.”<sup>55</sup> On May 21, 1999, Delaney told Magaldi he could no longer perform public ministry.<sup>56</sup>

Unfortunately, Marks continued to deteriorate. He fired his lawyer, and therefore Magaldi was not served in the first abuse case, filed in July 1999. The suit was later dismissed on technical grounds.<sup>57</sup> A second case also was dismissed. Magaldi and his supporters took this as proof of his innocence. After all, hadn’t Magaldi just said mass with Pope John Paul II in the Pope’s private chapel?<sup>58</sup>

Magaldi asked Delaney to send him back to St. John the Apostle Church, where the parishioners were clamoring for his return. One parishioner wrote to Delaney of Magaldi’s “wisdom, compassion, and wit,” his “true and loving spirit that beckons to those young ones who might otherwise remain indifferent to the call of faith.”<sup>59</sup> In April 2000, Magaldi asked Delaney for an increase in his pension<sup>60</sup> and told the Providence Diocese that Delaney had restored his ability to function as a priest (this was untrue).<sup>61</sup>

Throughout the scandal, Bishop Delaney never expressed concern for Magaldi’s victims or a fear of God. There was only one thing the bishop feared: reporter Brooks Egerton, of the *Dallas Morning News*. Delaney said “there is no way that – that I can defend myself before God or before the people of the diocese or before the world, if Bruce [sic] Egerton,

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<sup>51</sup> Fort Worth Documents 0628.

<sup>52</sup> Fort Worth Documents 0623.

<sup>53</sup> Mark Melady, “Former R. I. Priest Seems Reinstatement,” *Worcester Telegram and Telegraph*, December 16, 2000.

<sup>54</sup> Brooks Egerton, “Supporters Want Priest Reinstated: Old Sex Accusations False, Parishioners Say,” *Dallas Morning News*, December 14, 2000.

<sup>55</sup> “Priest Denies Abuse Claim,” *Providence Journal*, April 29, 1999.

<sup>56</sup> Fort Worth Documents 0652.

<sup>57</sup> Fort Worth Documents 0683.

<sup>58</sup> Brooks Egerton, “Supporters Want Priest Reinstated: Old Sex Accusations False, Parishioners Say,” *Dallas Morning News*, December 14, 2000.

<sup>59</sup> Fort Worth Documents 0688.

<sup>60</sup> Fort Worth Documents 0684.

<sup>61</sup> Fort Worth Documents 0686.

for instance tomorrow morning, published all of this.”<sup>62</sup> Delaney also asked about a main episcopal concern: “Whether the statute of limitations is expired on criminal activity?”<sup>63</sup>

Following the Marks scandal, in January 2001 a woman called Rev. John Gremmels. She told him that in October 2000, a visiting priest at his parish showed her and her teenage son around a new facility. Her son was wearing a t-shirt with the words “thin, attractive, and available” on the front and a picture of a new thin screen television on the back. The priest, she said, “touched the boy on the bottom and said something like ‘you are not very thin back here.’” Gremmels knew the visiting priest was Magaldi.<sup>64</sup> Gremmels reported other disturbing incidents in which Magaldi was involved.

Additionally, in February 2001, Bishop Delaney received a letter from a friend of the recently deceased Marks. The friend had known Marks a long time, and described him as “the most caring and considerate person I have ever known.” The friend continued that, “I have had many conversations with [Marks] about the sexual abuse he had as a child ... Life was a struggle for [Marks] and unfortunately he used drugs as a way to escape the pain.” The friend said he knew of Lajoie’s investigation and that Lajoie had discovered Marks’ criminal record, but he believed the arrests were “the result of the sexual abuse.”<sup>65</sup>

### ***The Vatican Learns of Magaldi***

Despite the new allegations, Magaldi continued demanding to be restored as a priest. Delaney told Magaldi he could appeal his suspension to the Vatican; Magaldi then sent a letter to the Secretary for the Congregation for the Clergy.

In May 2001, Delaney explained to the Secretary for the Congregation for the Clergy exactly why he suspended Magaldi:

1. The indictment for perjury
2. The conviction for theft
3. The allegations of sexual abuse which led to “very damaging publicity in our local media.”
4. The bizarre coincidence of the enemas in Massachusetts and Texas
5. Delaney’s personal observation of “Magaldi acting in an imprudent way with young altar boys, hugging them and holding them cheek-to-cheek.”

Delaney told the Vatican that he did not have a formal canonical hearing about Magaldi “to prevent his reputation from being further damaged,” and he was especially disturbed that Magaldi “seems totally oblivious to the reality that his conduct is in any way improper.”<sup>66</sup> The Secretary agreed with Bishop Delaney’s suspension of Magaldi.<sup>67</sup>

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<sup>62</sup> Fort Worth Documents 0460.

<sup>63</sup> Fort Worth Documents 0461.

<sup>64</sup> Fort Worth Documents 0698.

<sup>65</sup> Fort Worth Documents 0699.

<sup>66</sup> Fort Worth Documents 0704-7.

In October 2001, a supporter of Magaldi's told the Fort Worth diocese that a friend of hers, who helped care for Magaldi's mother, found material on his computer "that showed he was in chat rooms looking for minors" and "that he had pedophilic material."<sup>68</sup> This information was relayed to Archbishop Favalora of Miami and Bishop Nevins of Venice, both to whom Magaldi was appealing to take him in.<sup>69</sup>

In December 2002, Magaldi appealed to the Vatican's Congregation for the Doctrine of the Faith (then headed by Cardinal Ratzinger) to restore him as a priest. Delaney sent the group a copy of the letter he sent to the Congregation for the Clergy.

Bishop Delaney of Fort Worth died on July 12, 2005. His successor, Bishop Kevin Vann, forbade Magaldi to say Mass. Magaldi ignored him. The bishop then "decided to ask the Vatican to permanently and forcibly remove Father Magaldi from the priesthood."<sup>70</sup>

The Vatican has not yet made a decision, and in the meantime, it appears Magaldi is still receiving "full retirement benefits"<sup>71</sup> – his pension.

### ***The Aftermath***

Sonny von Bülow is still in a coma. Claus von Bülow is a writer, who now lives in London.

Thomas Marks died of cancer on October 9, 2000, at the age of 42.

Bishop Delaney of Fort Worth died on July 12, 2005.

Magaldi is unavailable for comment because, according to his caregiver Jerry Koller, at the age of 72, today Magaldi is "legally blind, needs help walking and suffers from dementia."<sup>72</sup> In February 2008 Magaldi informed the diocese of Fort Worth that he was HIV-positive; the diocese is notifying his victims.<sup>73</sup>

Throughout his clerical life, Magaldi's disconnect from reality was clear and noted repeatedly by Bishop Delaney. Though it is risky to diagnose someone from written accounts, Magaldi has all the characteristics of extreme narcissism: he thought the world revolved around him and almost nothing stopped him from fulfilling his desires for money and sex.

The clerical environment did not help: rough patches in Magaldi's life were smoothed over as much as possible by the bishops around him. Perhaps they would have done this

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<sup>67</sup> Fort Worth Documents 0715.

<sup>68</sup> Fort Worth Documents 0713.

<sup>69</sup> Fort Worth Documents 0714.

<sup>70</sup> Brooks Egerton, "F[ort] W[orth] Bishop: Abuse Cases 'Extraordinarily Painful,'" *Dallas Morning News*, November 29, 2006.

<sup>71</sup> Fort Worth Documents 0725.

<sup>72</sup> Darren Barbee, "Process to Defrock Two Underway," *Fort Worth Star-Telegram*, November 30, 2006.

<sup>73</sup> Darren Barbee, "Accused Priest Has HIV, says Diocese," *Fort Worth Star-Telegram*, February 15, 2008.

for any priest; perhaps they owed Magaldi a big favor. Whatever the truth of particular allegations, it is clear the clerical environment in New England was corrupt, and the deference given to clergy gave them the impression that they were above the law and could do as they pleased, with no consequences.

Most shocking, perhaps, is that clerical leaders consistently showed no interest in helping Marks: he wasn't a cleric, he was not even a Catholic – he was Jewish. Marks was never informed that Magaldi had been accused of similar abuse in Texas – abuse that would have made his accusations all the more credible. His fate did not interest the bishops. As Marks' friend observed: "Lives are ruined by these guilty priests and the Catholic Church seems to turn their heads. No one cares about the victims and their lives."<sup>74</sup>

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<sup>74</sup> Fort Worth Documents 0700.