

DATE SEP 19 1991

819

**THE
TRIBUNE'S
VIEW**

'John Doe' goes public
Good for him, and good for the system

A few weeks ago, an anonymous accuser alleged in a lawsuit that John Whiteley had sexually abused him from 1967 through 1971. Whiteley, a Roman Catholic priest, was living in Columbia and working at a Moberly parish.

Even though Whiteley was named, the 34-year-old accuser was identified only in the lawsuit as "John Z. Doe." The plaintiff, however, made a point of promoting his suit with the media. He said he had waited so long to take action because he lost his memory of the sexual mistreatment until jogged by recent counseling.

We strenuously objected to the plaintiff's anonymity, worrying in this column that a growing trend toward keeping plaintiff's names secret was contrary to a basic premise in our system of justice: that the accused *and* the accuser confront each other in a public forum. To do otherwise is to give one party license to hide behind a veil of secrecy while publicly condemning another by name.

Our criminal justice system should remain thoroughly imbued with the principle of openness. Alas, today this principle too often is compromised, a disturbing development that should bother anyone dedicated to the fair determination of guilt, innocence and punishment. I was particularly disturbed by the case in point because the official rules seemed to allow an anonymous filing, an even more onerous development than the voluntary private policies adopted by most news media against publishing the names of rape accusers, themselves questionable enough.

Now "John Z. Doe" has gone public, to his great credit and to the immeasurable benefit of the system. David Clohessy of St. Louis acknowledges he

was the plaintiff and says he wants to show that people need not be ashamed if they were molested as children. Good for him.

Everyone can sympathize with his initial desire not to be known, but he decided properly in the end that being public was the right thing to do. "I am absolutely convinced that I have nothing to be ashamed of and that everyone who was sexually abused has nothing to be ashamed of. With anonymity, it's a possibility that some people would not get that impression," Clohessy added that since he went public he has had a "lot of support" from friends.

In the big picture, Clohessy's action is important because it will encourage others to do the same. In the end, pursuit of rapists and other sexual abusers will never be as effective if accusers try to prosecute while at the same time worrying about anonymity. In the courtroom, thank goodness, their identities will become public. Their cases will be much easier to pursue, and their lives more easy, if they can at the outset decide to go for it publicly.

We must remember that people accused of crimes are not guilty until evidence is heard and weighed in a courtroom. During this process, we guarantee publicity, the best safeguard against abuse of the system. People accused of crimes deserve that basic minimal protection.

Since going public, Clohessy says he feels less helpless. When we humans stop trying to keep secrets we always feel better. The best arguments are in favor of openness, particularly when we are pursuing a goal we feel is just. John Doe has become much more credible now that he is David Clohessy.

HJW:III