

DECLARATION OF HECTOR ESPARZA

I, HECTOR ESPARZA, declare:

(1) I am over the age of 18, I have personal knowledge of the facts stated herein and would testify thereto if called to do so.

(2) I am a retired ^{Police Officer H.E.} detective of the Los Angeles Police Department.

(3) On January 11, 1988 Los Angeles Police Department received a complaint of child sexual abuse perpetrated by Father Nicholas Aguilar. I was assigned as a detective to investigate the January 11, 1988 complaint.

(4) The investigation determined that Father Aguilar was a visiting cleric from Mexico who came to the Los Angeles area in March of 1987. The Los Angeles Archdiocese assigned Father Aguilar to work, temporarily, at Our Lady of Guadalupe Church, Rose Hills. Father Aguilar worked at Our Lady of Guadalupe from late March through May of 1987. In June of 1987 Father Aguilar was reassigned to St. Agatha's where he worked until January 9, 1988. At both Our Lady of Guadalupe's and St. Agatha's Father Aguilar recruited and trained young boys for alter boy duties.

(5) The investigation substantiated that while working at Our Lady of Guadalupe, Rose Hills and St. Agatha Father Aguilar engaged in acts of sexual abuse with numerous minors.

(6) The investigation established that on Friday January 8, 1988 the relatives of a victim of Father Aguilar contacted Sister Josie, the first grade teacher of the school at Our Lady of Guadalupe, Rose Hills. Upon learning of the allegations Sister Josie immediately informed Sister Renee, the principal of the school at Our Lady of Guadalupe, Rose Hills. Sister Renee allegedly attempted to contact the Los Angeles Police Department on January 9, 1988 and January 10, 1988 but according to Sister Renee there was no answer. Sister Renee reported the allegations of child sexual abuse perpetrated by Father Aguilar to the Los Angeles Police Department on Monday January 11, 1988.

(7) The investigation also established that on Friday, January 8, 1988 the parents of one of Father Aguilar's victims contacted the pastor of Our Lady of Guadalupe Church, Father Bill McClean, and informed the Father McClean of the child sexual abuse allegations. Upon learning of the allegations against Father Aguilar, Father McClean immediately contacted Monsignor Thomas Curry, Vicar of Clergy for the Archdiocese, and informed Monsignor Curry of the allegations. On Saturday, January 9, 1988 Monsignor Curry met with Father Aguilar at St. Agatha's Church. Monsignor Curry confronted Father Aguilar with the allegations of child sexual abuse and relieved him of all priestly duties for the Archdiocese of Los Angeles. Father Aguilar informed Monsignor Curry that he planned on returning to Mexico at the beginning of the week, Monday January 11, 1988. Monsignor Curry did not contact the Los Angeles Police Department.

(8) The investigation uncovered that on Saturday January 9, 1988, after Monsignor Curry met with Father Aguilar, Father Aguilar traveled to Mexico and has not returned since.

(9) During the investigation into the allegations of child sexual abuse perpetrated by Father Aguilar several reporters of the news media covered the developments. One of the reporters, Ann Curry of KCBS-TV contacted Los Angeles Police Department Detectives and informed us that she called Father Aguilar's diocese in Mexico and spoke with Bishop Norberto Rivera. Bishop Rivera confronted Father Aguilar about the allegations. Bishop Rivera told Ann Curry that Father Aguilar resigned from the priesthood and went to live with relatives in Cuernavaca, Mexico.

(10) The Los Angeles Police Department investigation into the allegations of child sexual abuse perpetrated by Father Aguilar was not initiated until Monday, January 11, 1988 when the report by Sister Renee, principal of Our Lady of Guadalupe was first made to the Los Angeles Police Department. The allegations were easily confirmed. The three day delay (Friday January 8, 1988; Saturday January 9, 1988; and Sunday January 10, 1988) in reporting the child sexual abuse allegations facilitated Father Aguilar's departure from California.

(11) Specifically, had the Archdiocese of Los Angeles reported the allegations of child sexual abuse to the Los Angeles Police Department on January 8, 1988 steps would have been initiated to detain Father Aguilar and make sure he remained in California where he would answer for his crimes. There were sufficient facts in existence for me as the investigating detective to detain Father Aguilar on site based on the information received by Sister Renee and Father McClean on January 8, 1988. Unfortunately this information was not reported to the Los Angeles Police Department until January 11, 1988, ~~three~~ ^{two} days after Father Aguilar left the jurisdiction.

(12) When interviewing personnel affiliated with the Archdiocese of Los Angeles I formed the impression that the Archdiocese intentionally delayed the report of the child sexual abuse allegations as a means of assisting Father Aguilar in avoiding criminal prosecution.

(13) Attached hereto as Exhibit A is a true and correct copy of the Los Angeles Police Department Investigation Report regarding the allegations against Father Nicholas Aguilar Rivera.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 18th day of September 2007 at WALNUT, California.


HECTOR ESPARZA

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On January 8, 1988, Mrs. ██████████ contacted Our Lady of Guadalupe Church and revealed the allegations of molestation. The pastor, Father McClean, immediately notified Monsignor Curry, Vicar of Clerics of the Los Angeles Archdiocese. On January 9, 1988, Monsignor Curry confronted Father Aguilar with the allegations and relieved him of all priestly duties pending an investigation. Later that day (January 9, 1988) the suspect told a cousin, ██████████, that he had to go to Mexico immediately due to a sick family member and asked ██████████ to drive him to the Tijuana Airport. She did so.

During this investigation several reporters of the news media reported the allegations against Father Aguilar to the public. One of the reporters, Ann Curry of KCBS-TV, contacted detectives and stated she called Father Aguilar's diocese in Mexico and spoke with a Bishop Norberto Rivera. Bishop Rivera reportedly confronted Father Aguilar about the allegations and Father Aguilar reportedly resigned from the priesthood. Father Aguilar reportedly told Bishop Rivera he would live with relatives in Cuernavaca, Mexico. At this writing detectives have tried, in vain, to verify this information.

Archbishop Roger Mahony, of the Los Angeles Archdiocese, wrote letters to Bishop Rivera and the Bishop of the Cuernavaca Diocese requesting background, family and whereabouts information on Father Aguilar. To date there has been no response to these inquiries.

On March 13, 1988, Archbishop Mahony received a letter from Father Aguilar postmarked from Mexico. In the letter Father Aguilar asks the Archbishop for his prayers and assistance in "ending the attacks upon him."