

Bishop testifies in hit-and-run trial

PHOENIX (CNS) — Testifying on the witness stand at his hit-and-run trial, retired Bishop Thomas J. O'Brien of Phoenix explained that, even after he heard police were looking for him, he did not think he had really hit and killed a pedestrian.

In more than five hours of testimony Feb. 9 and 10, Bishop O'Brien described his actions after his car struck 42-year-old Jim Reed as Reed was crossing a dark street in mid-block June 14.

In response to questions from both defense and prosecuting attorneys, he said he didn't see Reed either before or after the collision, and that he had no idea what had hit his windshield, causing a loud crash and leaving a clearly visible dent in it.

Seeing no obvious cause for the broken windshield, Bishop O'Brien said he drove on to his house, five minutes away, and parked the car in his garage. There, he looked at the damage, but didn't study it closely, he said. It wasn't until later, that night that he considered what might have caused the damage, the bishop said, and concluded it might have been a rock or perhaps a dog.

If he had any idea he had struck a person, he would have stopped, the bishop said.

"I would have stopped because that's the human thing to do," he said. "I couldn't imagine not stop-



Reuters/CNS

Former Phoenix Bishop Thomas J. O'Brien answers a question from defense attorney Tom Henze during testimony at his criminal trial in Phoenix Feb. 9.

ping."

The testimony was the first time Bishop O'Brien has spoken in public about the accident. He was arrested June 16 by Phoenix police, after they traced a license plate number provided by witnesses. Bishop O'Brien, 68, resigned as head of the Phoenix Diocese June 18.

He is charged with leaving the

scene of a serious or fatal accident. If convicted, he could receive a sentence ranging from probation to a maximum of three years and nine months in-prison.

As he answered questions, Bishop O'Brien's explanations cast his actions the night of the accident and over the next two days as those of someone who may not have thought things through clearly, but wasn't consciously evading the law.

In three previous weeks of testimony, witnesses to the accident, police, accident reconstructionists, medical experts and the bishop's friends, family and employees testified about the circumstances of the accident and the investigation.

Their testimony included descriptions by his sister and nephew of their futile attempts to talk to Bishop O'Brien by phone and at his house after he heard police wanted to talk to him. Police said they saw someone moving about inside his house, but nobody came to the door.

A diocesan secretary said the bishop asked her on June 16 to look into what he needed to do to get his broken windshield replaced. And his housekeeper described arriving at work to find the police waiting. She

said she had difficulty getting him to come out of his rooms to speak with police.

Bishop O'Brien said when he heard about 24 hours after the accident that police wanted to talk to him about a hit-and-run at the intersection of 19th Avenue and Glendale, he still thought the damage to his car might be unrelated.

It wasn't until after an hourlong interview with police that he accepted his car had hit Reed, the bishop said. Then he sat with his housekeeper and cried, he said.

Bishop O'Brien said even though he knew police wanted to talk to him, he didn't answer the door when he saw two or three men outside because he thought they were reporters. The police were not in uniform.

Bishop O'Brien for the first time disclosed that he was preoccupied during the two days after the accident by the news that his secretary of more than 20 years had suffered a brain aneurysm.

A verdict in the trial was expected to be announced the afternoon of Feb. 17 after the *Catholic Courier*, newspaper for the Diocese of Rochester, N.Y., went to press.

LENTEN REGULATIONS

The following regulations for Lenten sacrifice are based on the 1983 Code of Canon Law:

- All Fridays of Lent are days of abstinence from meat for Catholics over 14.
- Ash Wednesday (Feb. 25) and Good Friday (April 9) are days of fasting and abstinence for Catholics between the ages of 18 and 59. Fasting means taking only one full meal and two smaller meals that, taken together, do not equal one full meal.
- Throughout Lent, Catholics are especially encouraged to perform voluntary acts of penance.

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