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Priest Pleads Innocent in Sex Case

By Bruce Daniels
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Request To Increase Bond Amount Fails

The Rev. Robert Malloy pleaded innocent Thursday at his arraignment on a 42-count indictment for alleged sex offenses against 14 boys between 1994 and 1998.

The 41-year-old former pastor of Queen of Heaven Church remained free Thursday on a \$12,000 bond set in December in Metro Court after his Dec. 17 arrest.

State District Judge Neil Candelaria turned down a prosecution request to boost Malloy's bond to \$100,000, following a Pretrial Services recommendation based on Malloy's "strong community ties" to keep the Metro Court bond in place.

Candelaria said the priest couldn't leave Bernalillo or Sandoval counties without his permission, and ordered his movements to be monitored by Pretrial Services.

Meanwhile, court documents that had been sealed since December remained under seal Thursday to the public, but are available to attorneys and parties closely connected to the case.

State District Judge James Blackmer who originally sealed affidavits for search and arrest warrants in the case on Thursday continued his ban on public release of the documents, which provide a narrative account of the alleged incidents and accusations that led to Malloy's arrest.

"I want to emphatically preserve both the state's and the defendant's right to a fair trial," said Blackmer, whose order left any future release of information to Candelaria, the trial judge.

"The bottom line is, it will all come out eventually," said Bernalillo County District Attorney Jeff Romero.

Malloy's attorney, Ray Twohig, said his "preference" was that the documents remained sealed.

"Father Malloy's reputation has already been seriously damaged," Twohig said.

Earlier, Deputy District Attorney Lisa Trabaldo asked Candelaria to increase Malloy's bond to \$100,000 because so many new charges had come to light between the priest's arrest and indictment.

The longtime former police chaplain was arrested on suspicion of three counts of contributing to the delinquency of a minor.

On Feb. 16, a grand jury charged Malloy with 11 counts of sexual exploitation of children by prostitution, 19 counts of criminal solicitation to tamper with evidence, 10 counts of contributing to the delinquency of a minor, resisting arrest and tampering with evidence.

The prostitution charges allege that Malloy "hired or offered to hire" seven teen-age boys to perform sex acts over a 4-year period.

In all, 14 alleged victims were identified in the indictment, not by name but by initials only.

Trabaldo told the judge Thursday the tampering charge alleges that Malloy "destroyed" evidence between police searches of Malloy's property on Dec. 18 and a second search of his home Feb. 5.

But Twohig said he and his client still have no clear idea what the state's case is all about.

The tampering charge claims Malloy "destroyed letters, tapes and/or bottles," but "it's a little unclear what kind of evidence" prosecutors have to substantiate that charge, Twohig said.

"I've had no discovery in the case, so I can't really address what's being alleged," he said.

Malloy isn't a threat or danger to the community and any flight risk is "nonexistent," Twohig said.

Charles P. Reynolds, attorney for the Archdiocese of Santa Fe, attended the brief arraignment, telling a reporter afterward he was there to privately tell the judge about Malloy's living conditions.

Malloy resigned as pastor of Queen of Heaven after the charges surfaced in December, and he is currently restricted from functioning publicly as a priest, according to Mary Ryland, archdiocese communications director.

Malloy's legal fees are not being paid by the archdiocese, said Reynolds, who added, however, "We're concerned about him as well as everybody else concerned in this matter."

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