News

Entrance to building framed by tree.

The exterior of the Archdiocese of Seattle's Pastoral Center, located in the Paul Pigott Building in Seattle, is seen July 16, 2024. (OSV News/Jean Parietti, Northwest Catholic)

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A judge ruled July 12 that the Washington state attorney general does not have legal authority to enforce a subpoena for clergy abuse records against the Archdiocese of Seattle, specifically noting that the religious exemption in the state Charitable Trust Act stands.

While King County Superior Court Judge Michael Scott sided with the archdiocese in the July 12 hearing, Archbishop Paul D. Etienne said he still wants to work with the Attorney General Bob Ferguson's office.

"Sexual abuse in the Church is a heart-wrenching part of our history, and I am deeply sorry for the pain caused to victim survivors, their families and all Catholics," Etienne said in a statement after the ruling.

"While ironing out the legalities is important, I take no pleasure in today's outcome," the archbishop said. "Because we are committed to preventing abuse, promoting transparency and continuously improving our processes, my offer to collaborate with the attorney general still stands."

After the hearing, Ferguson issued a statement saying his office plans to appeal the decision "because Washingtonians deserve a full public accounting of the Church's involvement in and responsibility for the child sexual abuse crisis."

Ferguson announced in May that he was asking a judge to force the archdiocese to turn over documents regarding clergy sexual abuse. He said he believes the archdiocese is not being transparent, and he wants to determine whether charitable dollars were used to cover up child sex abuse, which he said would violate the state's Charitable Trust Act.

The archdiocese maintains that it has released files and documents it can share without violating victims' privacy.

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In a July 11 statement, the archdiocese said that it "remains ready to work with the attorney general to identify relevant documents and ensure the necessary privacy of those harmed by abuse so that a lawful and reasonable investigation can take place."

But it objected to "this specific subpoena because it is unnecessary, unlawful, and excessive," the statement said. Because the archdiocese "is willing to provide relevant and appropriate documents," the subpoena is "unnecessary," it added.

Regarding the state's Charitable Trust Act, the archdiocesan statement said the law "has a clear religious exemption," making what the subpoena is seeking "unlawful."

"The Washington Attorney General has no authority under the CTA to investigate religious organizations and, unlike other states, has not been granted this kind of investigative authority," it said. "Furthermore, the state should not become enmeshed with the conduct of religious institutions, which violates the principle of separation of church and state."

As far as the subpoena being "excessive," the statement said the attorney general requested "vast swatches of materials."

"To provide just one example," it said, "the Attorney General seeks every receipt from January 1, 1940, to the present — in an Archdiocese with more than 170 pastoral locations and 72 schools serving more than 600,000 Catholics. Taxpayers, the public interest, and Catholics are not served by such overreach."