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Grand jury indicts five in sex abuse investigation

Matthew Gambino Catholic News Service | Feb. 14, 2011

PHILADELPHIA -- In a reprise of 2005's sensational grand jury report of sexual assaults by clergy in the Archdiocese of Philadelphia, Philadelphia District Attorney Seth Williams released a new report Feb. 10 by a grand jury investigating similar abuse.

While the 2005 report detailed dozens of cases of sexual abuse of children by clergy over many decades, the new report brings criminal indictments for the first time.

Charged with rape, assault and other felonies related to minors, as recommended by the grand jury, are former archdiocesan priest Edward V. Avery, 68, of Haverford; Fr. Charles Engelhardt, 64, of Wyndmoor and an Oblate of St. Francis de Sales; an archdiocesan priest, Fr. James J. Brennan, 47, of Linfield; and former lay teacher, Bernard Shero, 48, of Bristol. All four were arrested Feb. 10.

Msgr. William J. Lynn, 60, pastor of St. Joseph Parish in Downingtown, was charged on two counts of endangering the welfare of a child. The charges stem, according to the report, from Lynn's conduct as archdiocesan secretary for clergy from 1992 to 2004. In that role, he was responsible for recommending the assignment of priests in the Archdiocese of Philadelphia.

He is believed to be the first high-ranking diocesan official indicted under a criminal statute in the United States for charges related to the sexual abuse scandal that came to light in 2002.

Because of the volume of evidence collected by the grand jury, which includes testimony of some 45 witnesses, Williams said a preliminary hearing for the charges will be waived. No trial date has been set.

In a series of statements Feb. 10 and 12, Cardinal Justin Rigali of Philadelphia categorically denied that any archdiocesan priests with "an admitted or established allegation of sexual abuse of a minor against them" remained in ministry. He also urged all Catholics to "join me in praying every day for victims of sexual abuse ... that they will have real hope in Christ and truly know that they do not stand alone."

"I encourage you to join me as we turn together to Jesus," he said in a Feb. 12 statement and YouTube video in English and Spanish. "His cross and resurrection conquer all sin and give us faith and hope, which must remain strong in our hearts as we vigorously commit ourselves anew to do everything possible for the protection of all children and for the prevention of any abuse in the future."

The archdiocese announced Feb. 12 that a new "delegate for investigations" will be hired, who will operate independently from the archdiocesan Office of Child and Youth Protection, and that psychologist Joseph A. Cronin had been hired to the new post of clergy support associate in the Office for Clergy. Since October 2008 Cronin has been in charge of the supervision and treatment of priests permanently removed from ministry and living a life of prayer and penance.

Mary Achilles, former victim advocate for Pennsylvania, will serve as a consultant to the cardinal "regarding

how best to address the needs of victims of sexual abuse and to assist in our review of the observations and recommendations of the grand jury report," the archdiocese said.

At a Feb. 10 news conference, Williams said that as a practicing Catholic, presenting the grand jury's findings caused him discomfort.

"This isn't a witch hunt into the Catholic Church," said Williams, a member of St. Cyprian Parish in West Philadelphia. "The criminal acts that occurred here are not representative of my religion. They are the bad acts of individual men.

"I recognize all the good that the Roman Catholic Church has done and continues to do in the world," he added. "But I am sworn to uphold the law, and I will do what is necessary to protect children."

The grand jury's charges stem from cases in recent years. The report alleges that Avery, Shero and Father Engelhardt were involved in the abuse of an altar boy at St. Jerome Parish in Philadelphia from 1998 to 2000, beginning when the boy was 10.

According to archdiocesan records, an allegation was received concerning Engelhardt in 2009 and reported it to the Philadelphia district attorney. A statement from Fr. James J. Greenfield, provincial of the Oblates' Wilmington-Philadelphia province, said Engelhardt was removed from ministry in January 2009 while the case was investigated.

"Father Engelhardt strongly denies these charges and claims his innocence," said a news release from the province. "Prior to this incident, there had never been a complaint against Father Engelhardt in his more than 40 years of Oblate life."

The archdiocese received a report concerning then-Father Avery that alleged he had inappropriate contact with a minor as far back as 1992. It limited his ministry to chaplain at Nazareth Hospital in Philadelphia from 1993 to 2003. After the archdiocese substantiated allegations of sexual abuse against him and removed him from ministry in 2003, he was laicized in 2006.

New allegations against him were received in 2007 and 2009, which were forwarded to the district attorneys of Delaware County and Philadelphia, respectively.

The charges against Brennan, who has been prohibited from performing the duties of a priest or presenting himself as a priest since 2006, stem from an allegation of abuse concerning a 14-year-old boy in 1996, according to the report. The allegation was received by the archdiocese in 2006 and reported to the district attorney's office.

Williams noted that since the 2005 grand jury report, positive changes have resulted in the archdiocese's procedures for handling allegations of abuse and its impact upon victims.

"Victims are receiving counseling and support, and the church is reporting some abusers to law enforcement, something that never happened in the past," he said. "This investigation, in fact, began as a result of reports received from the archdiocese."

Williams commended the archdiocese for these improvements, but emphasized that more needs to be done regarding concerns of victims' confidentiality and the nature of abuse allegations against priests.

Barbara Dorris, outreach director of the Survivors' Network of those Abused by Priests, a support group for clergy abuse victims, expressed hope in a Feb. 10 statement that the Philadelphia district attorney's actions

would "cause prosecutors across the U.S. to examine their consciences and work harder to file similar charges against others in the Catholic hierarchy who continue to put the reputations of church officials ahead of the safety of innocent children."

The cardinal's initial statements on the archdiocese's website, www.archphila.org, were published along with a document titled "Creating a Network of Protection and Prevention." It describes the archdiocese's efforts to assist victims of sexual abuse and to prevent abuse and protect children through church-sponsored training programs for adults and young people.

The cardinal pledged the Catholic community will "do everything possible to rectify the injustices suffered by victims."

"Victims of sexual abuse by clergy may find this news (in the grand jury report) deeply painful," he said. "It is in this spirit that the Archdiocese of Philadelphia is cooperating fully with the civil authorities in this and all related matters."

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