

KC bishop charged with failure to report child abuse

Joshua J. McElwee | Oct. 14, 2011

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Jackson County Prosecutor Jean Peters Baker speaks at the Oct. 14 press conference. (Zoe Ryan)

Updated KANSAS CITY, Mo. -- Bishop Robert Finn and the Kansas City-St. Joseph, Mo., diocese have been charged with failure to report suspected child abuse.

The charges, filed in Jackson County, Mo., court and announced at a press conference this afternoon, represent the first time a U.S. bishop has faced a criminal charge related to clergy sexual misconduct, and the first time a diocese as a whole has faced such charges.

In a statement released just before the press conference, the diocese said its counsel had entered a not guilty plea on behalf of the diocese and Finn's counsel had done the same on his behalf.

The charges are class A misdemeanors and carry a maximum penalty of a year in jail and a \$1,000 fine.

Speaking at the press conference this afternoon, Jackson County prosecutor Jean Peters Baker announced the charges and emphasized several times they were about "protecting children" and had "nothing to do with the Catholic faith" in general.

Peters Baker confirmed that Finn and the diocese had been the subject of a Jackson County grand jury investigation and said her office had chosen to use a grand jury to "make sure this was a fair process."

The charges stem from the case of a local priest who has been charged for possession of child pornography. Images of naked children were found on the computer of Fr. Shawn Ratigan in December last year. The Kansas City-St. Joseph diocese learned about the images and removed Ratigan from his parish, but did not report the incident to authorities until May.

For John L. Allen Jr.'s analysis of the charges against Finn, see: [Charge against Kansas City bishop the temper of the times](#) [1]

Peters Baker said the charges span from Dec. 16, 2010, when the diocese first reviewed questionable images on Ratigan's laptop, and May 11, 2011, when it reported the images to the police. She also said Finn and the diocese had been notified of the charges Oct. 6, but the public announcement was postponed because Finn was out of the country until late last evening.

Finn had been leading a planned pilgrimage of members of the diocese to Rome and Ephesus for the past two weeks.

A knowledgeable source at the diocese told *NCR* the diocesan chancery was closed today because of a water main break. Though the break was repaired by about 9:30 this morning, chancery personnel were told to take the day off, the same source said.

Ratigan is in jail on charges filed in Clay County, Mo. Media reports have indicated that a grand jury in that county is also investigating the diocese's response in the case, and has heard testimony from Finn and vicar general Msgr. Robert Murphy.

A federal grand jury charged Ratigan in August with 13 counts of production, attempted production and possession of child pornography.

Ratigan's last parish was in Clay County. The diocesan chancery is located in Jackson County.

Responding to a question from the press, Peters Bakers said the diocese could be charged as a whole with failing to report sex abuse as it is an "incorporated entity."

In a separate press statement this afternoon, she also said the fact that the charges are misdemeanors, and not felonies, "should not diminish the significance of the case."

"Now that the grand jury investigation has resulted in this indictment, my office will pursue this case vigorously because it is about protecting children," wrote the prosecutor. "I want to ensure there are no future failures to report resulting in other unsuspecting victims."

The diocesan statement this afternoon said that "Bishop Finn denies any criminal wrongdoing." In it Finn also wrote that he asked for "the prayerful support and unity of our priests, our people, the parishes, and the Catholic institutions."

"With deep faith, we will weather this storm and never cease to fulfill our mission, even in moments of adversity," said Finn.

The Survivors Network of Those Abused by Priests immediately released a statement responding to today's announcement, saying the charges were a "good start", but that "others on the church payroll also concealed crimes, misled parishioners and endangered kids."

"We are grateful to every person who shared information with the grand jury," wrote Barbara Dorris, SNAP's outreach director.

"At the same time, however, we believe there are still dozens of other current and former church employees who could and should step forward with their information about clergy sex crimes and cover ups.

Peters Baker said the next court appearance for Finn and the diocese is scheduled for Dec. 15.

Ratigan, 45, who is held on \$200,000 bond, has pleaded not guilty.

A diocesan-sponsored study of its handling of the Ratigan case released last month found that "individuals in positions of authority reacted to events in ways that could have jeopardized the safety of children in diocesan parishes, school, and families."

The 138-page report, conducted by former U.S. attorney Todd Graves, also said that "Diocesan leaders failed to follow their own policies and procedures" for responding to reports of sexual misconduct.

At today's press conference, members of the press were handed the official indictment sheet from the grand jury charging Finn and the diocese. Among the witnesses listed as having given testimony before the grand jury is Julie Hess, the principal of the elementary school attached to the parish where Ratigan served.

A year before Ratigan's arrest, Hess hand-delivered to Murphy a letter warning that parents and staff members there were concerned about "significant red flags" about Ratigan's behavior and were worried he "fit the profile of a child predator."

In testimony given to the Graves report, Finn states that he "cannot recall" whether he received a written report on that letter prior to this May, and can only "specifically recall" three items from Murphy's verbal report to him on the subject.

Speaking by phone this afternoon, an attorney who has filed numerous cases against Finn and the diocese for cases of sexual abuse said announcement of the charges was "historic."

"It's an important step for establishing accountability," said Rebecca Randles, whose firm last week filed a formal complaint alleging the diocese broke a 2008 settlement between the diocese and 47 victims of sexual abuse in its failure to report the Ratigan case to police.

"You hope that the ripple effect keeps rippling outward so that other bishops will look out and say 'I have to take every possible step to make sure that my sheep, the sheep of my flock, are being kept safe,'" said Randles.

"My hope is that this will be the proverbial shot across the bow where they say 'Wait a minute, this can't be business as usual. We can't just rely on policies. We have to actually look at these as humans and do what's right with regard to them.'"

In the diocese's statement, Finn pointed to the diocese's July appointment of an ombudsman to receive reports of claims of sex abuse and a five point plan outlined by him in June to show that the diocese has responded to claims it has not responded to the Ratigan case.

"Today, the Jackson County Prosecutor issued these charges against me personally and against the Diocese of Kansas City-St Joseph," wrote Finn. "For our part, we will meet these announcements with a steady resolve and a vigorous defense.?"

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