

Chaput removes five Philadelphia priests from ministry

Brian Roewe | May. 4, 2012

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Archbishop Charles Chaput speaks at a May 4 press conference announcing the rulings on 8 of 26 priests suspended for sexual misconduct accusations. (Screen capture, Archdiocese of Philadelphia)

Five of the 26 Philadelphia priests suspended in the wake of sexual abuse allegations revealed in last year's grand jury report will be removed from public ministry, Archbishop Charles Chaput announced Friday at a press conference.

Three of the 26 will be returned to ministry, while 17 cases are still pending in various stages of the investigation process, Chaput announced.

Chaput said the fate of the five priests determined "unfit for ministry" is still unknown. Each has the option to appeal the decision to the Vatican. If they decline or fail in their appeal, they could face laicization, life under supervision or a life of prayer and penance.

The type of conduct each was found guilty of -- sexual abuse or a violation of boundaries -- will likely dictate their fates. Of the five, only one, Fr. John Reardon, was accused of sexually abusing a minor, according to documents released by the archdiocese.

The remaining four -- Fr. George Cadwallader, Fr. Msgr. Francis Feret, Fr. Robert Povish, Fr. Thomas Rooney -- were found in violation of the archdiocese's Standards of Ministerial Behavior and Boundaries, applicable to all clergy, staff and volunteers in the archdiocese.

"Catholics have struggled with confusion and anger. When a child is harmed, the church has failed. When trust is lost, the church has failed. When the whole community suffers as a result, the church has failed. We can't change the past," Chaput said.

"But I pray -- and I do believe -- that the lessons of the last year have made our church humbler, wiser, and a more vigilant guardian of our people's safety. That is our commitment today, tomorrow, and permanently," he said.

Abuse victims advocacy groups expressed dissatisfaction with Chaput's announcements.

"We are shocked that 14 months after a grand jury raised concerns over 37 accused priests, only eight of these cases are resolved. Catholics, citizens, children and the accused priests deserve better," said Barbara Blaine, president of the Survivors Network for those Abused by Priests.

Fr. Daniel Hoy, alleged to have sexually abused a minor, died July 25, before an investigation concluded.

Fr. Philip Barr, Fr. Michael Chapman and Msgr. Michael Flood will all return to active ministry. It is unknown whether the three will return to their respective parishes. Chaput indicated that the decision will be left to each priest, though the parishioners will have a voice and he will hold the ultimate authority on their decision.

When pressed on the details of the claims against the three exonerated priests, Chaput declined to discuss specific facts of these individual cases, saying the decision to reveal information would be left to each priest and his parishioners.

Blaine said in a statement, "This weekend Chaput should start visiting churches where the three priests with 'unsubstantiated' allegations worked. He should beg victims, whistle-blowers and witnesses to come forward, share information, and get help." She urged the public to remain "highly skeptical of secret internal church processes."

Speaking generally on the accusations against all 26 priests, the archbishop said he needed "to balance the need for transparency with the pain already felt by victims -- pain which we acknowledge and do not wish to compound."

"It's important for the victims themselves to control to whom, when, and how extensively they disclose their accounts, and we support whatever that decision may be," he said.

Gina Maisto Smith, the veteran child abuse prosecutor who led the investigation of the 26 cases, provided some insight into the investigation. She emphasized that some cases included accusations of sexual abuse and others concerned boundary violations, or the Standards of Ministerial Behavior and Boundaries. A handful of cases included accusations of both, she said.

Chaput declined to place a timeframe on when the decisions on the 17 pending cases would be revealed. Describing the process of investigating past allegations of sexual misconduct as complex and time-consuming, he said, "it cannot be hurried or abbreviated without violating the whole purpose of the review."

Each case underwent a three-step process, Smith said. First, cases were referred to the local district attorney to be cleared by law enforcement before an internal investigation began, led by Smith and her multidisciplinary team. Once the team completed its investigation, the cases were turned over to the archdiocesan review board, which provided recommendations to Chaput. The archbishop said he reviewed every case personally and made the final decision.

"The process of reviewing these cases was designed to ensure that the decisions announced today reflect our commitment to protect children, assist victims, restore the integrity of the priesthood and provide evidence to the broader community that it can have confidence in these outcomes," Chaput said.

Law enforcement has held six of the remaining 17 cases for further review; two are currently under internal review and the remaining nine cases have been completed and await the review board's recommendations and Chaput's decision.

"Our actions, including these outcomes and the steps we have taken to improve our policies and procedures, show that we have learned from the past. No lesson from the sexual abuse scandal is more important than the understanding that the people who suffer most are the victims," Chaput said.

The multidisciplinary board -- which is made up of a forensic psychiatrist, psychologist, pediatrician, and former detectives and district attorneys -- reviewed more than 400,000 documents and interviewed 227 witnesses across the United States and outside the country in its investigation.

"Most child sexual abuse cases turn on credibility -- the evaluation of word against word," Smith said.

During the process, accused priests had an opportunity to review allegations against them and were provided canonical counsel.

When asked if the public could trust the archdiocese after this review after past assurances that proved false, Chaput said, "If you can trust [the multidisciplinary board], you can trust the results of this process."

Victims' groups, however, remain skeptical.

"No matter how many new lawyers are hired or how impressive their credentials might be, clerics control priest personnel files. So the church hierarchy still controls what material lay employees see and don't see," said SNAP director David Clohessy in a statement before the Friday announcement.

"History shows us and common sense tells us that no institution can effectively investigate or police itself, certainly not an ancient, rigid, secretive, all-male one with a horrific track record on children's safety," he said.

In a statement released after the press conference, Terence McKiernan of BishopAccountability.org said, "Archbishop Chaput has missed a crucial opportunity to deal with allegations of sexual violence against children in a transparent way.

"He has given us absolutely no information about the alleged crimes or about how they were investigated. It is not enough to say that Gina Smith and her colleagues are trustworthy. The same claim was made about the Review Board, and look where that got us," he said in the release.

Chaput's invoking of the gag order related to Lynn's abuse trial and the need to protect victims' confidentiality is "the oldest excuse in the church's playbook," McKiernan said.

On Wednesday, priests in the archdiocese were first informed of the ongoing process and upcoming rulings when Chaput invited them to a meeting at Cardinal O'Hara High School in Springfield, Pa. However, no details regarding names or decisions were revealed at the time.

Priests contacted Wednesday evening by *NCR* declined to comment on the substance of the meeting's discussions.

The suspensions of the 27 priests came under former Philadelphia archbishop Cardinal Justin Rigali, following a February 2011 grand jury report -- the second in six years -- that criticized the archdiocese for allowing dozens of priests to remain in ministry, despite having standing charges of sexual abuse and misconduct against them.

When asked why it took two grand jury reports to get to a point of taking action on the suspended priests, Chaput declined to evaluate the past, saying he only arrived in Philadelphia eight months ago.

The same 2011 report recommended charges against former secretary of clergy Msgr. William Lynn, Fr. James J. Brennan, Fr. Charles Engelhardt, defrocked priest Edward Avery and schoolteacher Bernard Shero. Lynn and Brennan are currently co-defendants in a trial about to enter its seventh week.

"We would have assumed, by the year 2011, after all the revelations both here and around the world, that the church would not risk its youth by leaving them in the presence of priests subject to substantial evidence of abuse. That is not the case," states the grand jury report.

The 2011 report found 41 priests with allegations of abuse against them that remained in assignments exposing

them to children. Of the 41, four had died, were transferred to another diocese or had been removed, bringing the number at the time to 37 active priests in the archdiocese with allegations against them.

"We understand that accusations are not proof; but we just cannot understand the Archdiocese's apparent absence of any sense of urgency," the report states, adding, "These are simply not the actions of an institution that is serious about ending sexual abuse of its children. There is no other conclusion."

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