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Vatican court finds papal butler guilty; sentences him to 18 months

by Cindy Wooden by Catholic News Service

Vatican City — A three-judge panel of Vatican jurists found Paolo Gabriele, the papal butler, guilty of aggravated theft and sentenced him to 18 months in jail for his role in leaking private papal correspondence and other confidential documents.

The verdict was read Saturday by Giuseppe Dalla Torre, president of the three-judge panel, just two hours after the fourth and final session of the trial.

Dalla Torre began reading the sentence with the formula, "In the name of His Holiness Benedict XVI, gloriously reigning, the tribunal, having invoked the Most Holy Trinity, pronounced the following sentence. ..."

He then said the judges had found Gabriele guilty and sentenced him to three years in jail, but reduced the sentence for four reasons: Gabriele had never been convicted of a crime before; the value of his previous service to the Vatican; the fact that he was convinced, "although erroneously," of having acted for the good of the church; and his declaration that he was aware of "betraying the Holy Father's trust."

The reading of the verdict and sentence took less than five minutes. Gabriele showed no emotion as the verdict was read, and afterward Vatican police led him to a side room while others exited the courtroom.

His lawyer, Cristiana Arru, said they would take him back to his Vatican apartment under house arrest. The defense has three days to inform the court if it intends to appeal.

"It's a good sentence, a balanced sentence," she told reporters. She said she and Gabriele had made no decision about the appeal.

Jesuit Father Federico Lombardi, Vatican spokesman, told reporters Pope Benedict was informed of the results of the trial immediately and was studying the matter. Father Lombardi said he believed it was likely the pope would pardon Gabriele, although he had no idea when that would occur.

Before the verdict was issued, the court heard the closing arguments of Arru and Nicola Picardi, the Vatican City prosecutor. Gabriele, a 46-year-old father of three, was given the opportunity to have the last word.

Gabriele told the court, "What I feel strongly is the conviction of having acted out of an exclusive -- I'd say, visceral -- love for the church of Christ and for its visible head."

"If I have to say it again, I'd say I do not feel like a thief," he told the court.

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Picardi asked the judges to find Gabriele guilty and to sentence him to three years in prison; he said that while aggravated theft carries a maximum penalty of four years, there were "generic extenuating circumstances" that led him to seek a year less. However, he also asked the court to rule that Gabriele never again could hold a job in the Vatican that would bring him into contact with sensitive information or power.

In its sentence, the court did not order a restriction of Vatican jobs Gabriele could hold in the future; it did, however, order him to pay court costs.

In his closing arguments, Picardi reminded the court that during the interrogations before the indictment and trial, Gabriele had said he passed on only photocopies and never removed original documents, but the testimony of Msgr. Georg Ganswein, the pope's personal secretary, and six police officers proved he had, in fact, taken originals.

The prosecutor also told the court that Gabriele was fascinated by secret service operations and thought the Holy Spirit sent him as an agent to help the pope. Picardi also said Gabriele believed "the pope was not sufficiently informed" about Vatican scandals and careerism, and he told investigators he hoped to help bring those problems to light.

Picardi said that while it is difficult to believe that one person collected all the stolen documents alone, Gabriele claimed he acted on his own, and the investigation found no proof of other accomplices -- other than, perhaps, the Vatican computer expert, who is facing charges of aiding and abetting Gabriele.

Gabriele's lawyer, Arru, told the court that while what Gabriele did was "illicit," he was not guilty of theft since all he did was photocopy documents and not steal them. She said she believed the police who testified to finding originals were wrong; they simply didn't recognize the fact that color photocopies could look like originals.

In addition, she said, Gabriele reaped no benefit from photocopying the documents.

Arru urged the judges to consider Gabriele's motives for acting and to impose only a minimal sentence.

"He felt forced (to act) by the evil he saw" around him at the Vatican, Arru said.

The defense lawyer said she hoped one day Gabriele would be "rewarded" for his desire to help the church and the pope.

Arru also told the court that any sentence should be reduced given the fact that Gabriele will be damaged for life by the publication of the court's August indictment, which included quotations from a psychiatrist and psychologist describing her client as simple, suggestible and as having an exaggerated sense of his own importance.

Testifying Oct. 2, Gabriele had said he was innocent of theft, but "I feel guilty for having betrayed the trust the Holy Father placed in me."

"I loved him like a son would," Gabriele told the court on the second day of his trial.

Asked to describe his role in the papal household, Gabriele said he served Pope Benedict his meals, packed the pope's suitcases and accompanied him on trips, and did other "small tasks" assigned to him by Msgr. Ganswein.

"I was the layman closest to the Holy Father, there to respond to his immediate needs," Gabriele said.

Being so close to the pope, Gabriele said he became aware of how "easy it is to manipulate the one who holds decision-making power in his hands," and he tried raising some of his concerns with the pope conversationally.

He said he leaked the documents out of concern for the pope, who he believed was not being fully informed about the corruption and careerism in the Vatican.

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