

Published on *National Catholic Reporter* (<https://www.ncronline.org>)

June 18, 2013 at 3:56pm

Report illuminates eight decades of Capuchin province's poor handling of sex abuse

by Joshua J. McElwee

For eight decades, leaders of a community of Catholic priests and brothers spanning 10 U.S. states acted inadequately in responding to sex abuse allegations and prioritized protecting accused abusers over their victims, concludes an audit released by the group Tuesday.

The report, released by a province of Franciscan priests known as Capuchins, could raise questions of how communities of religious, which are not under direct control of bishops, are handling abuse allegations.

It also addresses themes many critics of the U.S. church's response to sex abuse have raised since the issue made national headlines in 2002.

The report says that at the heart of the Capuchins' inadequacy to respond to the abuse was a culture of clericalism that placed the needs of priest-abusers above their lay victims and deference to lawyers who "revictimized" those victims in an attempt to protect the clerics from costly lawsuits.

"It is the opinion of the auditors that the Capuchins' response to sexual abuse reports was deficient, especially their failures to report abuse to civil authorities and their inadequate pastoral responses to victims," states the report, which was conducted by the Capuchins' St. Joseph Province by three auditors over the last year and which examined province records back to 1932.

The province is headquartered in Detroit but oversees approximately 170 friars serving in a diverse swath of the country and in Nicaragua and Panama. It has been the subject of scrutiny in recent years, particularly over its handling of abuse at one of its seminaries in the Milwaukee area in the 1990s.

The report also concludes that since the 1930s, when it says records were first available, the province rarely reported abuse to authorities, spent more money on hiring lawyers than on aid to victims, and routinely moved offenders between positions without divulging complaints against them.

"Through much of our history as a province, we have failed," Capuchin Fr. John Celichowski, the province's leader, said in a media call Tuesday announcing the report. "We violated the trust of those who were harmed [and] their families as well as the wider community in the church."

Two former leaders of the lay group set up by the U.S. bishops in 2002 to monitor sex abuse policies nationwide told *NCR* Monday how orders of religious are responding to allegations of abuse is an open question since orders are not bound by the same obligations as bishops.

Among the three auditors selected to conduct the report was Dominican Fr. Tom Doyle, a canon lawyer noted for his work advocating on behalf of abuse victims over several decades. Michael Burnett, an insurance coverage expert in sex abuse issues, and James Freiburger, a psychologist who has worked extensively with survivors and perpetrators of sex abuse, rounded out the trio of auditors.

One of the report's major findings, Doyle told *NCR*, is the "detrimental and deadly role that lawyers for the church played" in prioritizing the province's protection of clerics instead of reaching out to victims.

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"The Capuchins outsourced the Gospel to the lawyers," Doyle said. "And the lawyers were the ones that viciously attacked the victims."

The audit, which spans 132 pages, included a review of the personnel files of 1,093 current, former and deceased members of the religious community as well as the province's training material and the notes of the meetings of its leadership group.

Beyond auditing those files, however, the auditors also say they undertook a "critical review" of the province's response to reports of sex abuse.

In that review, they say they looked specifically at a culture of clericalism in the province that held that "clerics ... are inherently superior to laypersons and, because of their position, entitled to special deference, greater respect and special treatment."

"Provincial leaders often appeared guided by an unwritten principle grounded in clericalism that prioritized protection of the institution and the accused friar over the pastoral care of the victim, the discernment of truth, the extent and nature of injury to the victim, and the proper way to respond to reports of abuse," they continue.

Auditors also specifically reviewed the situation at the Milwaukee-area seminary, known as the St. Lawrence Seminary High School, one of the country's last remaining all-male boarding school seminaries.

Starting in 1992, the *Milwaukee Journal* published a series of articles exposing abuse by several of the clerics at the school, including a former rector, Capuchin Fr. Gale Leifeld.

While a previous review of that situation was undertaken by the province in 1993, Tuesday's audit is more expansive, breaking down allegations made there over several decades before concluding that its inaction

had caused at least one abuser to have "unfettered and unsupervised" access to students.

According to the audit, 28 boys -- double the number in the original report -- were abused or subjected to inappropriate sexual behavior at the seminary by eight friars dating back to 1964.

Last July, as the provincial audit was underway, questions surrounding the school were raised again when its rector, Capuchin Fr. Dennis Druggan, was placed on leave following allegations of sexual misconduct at a separate school in Montana some 25 years ago.

Celichowski removed Druggan as the school's rector in February following review of the case by the province's 10-member review board for cases of sex abuse. Druggan has denied the allegations and is appealing the case to the Vatican's Congregation for the Doctrine of the Faith.

A spokesperson for the victims' support group the Survivors Network of those Abused by Priests (SNAP) said in a statement that while the audit was an "important start," it did not go far enough.

"The report, although a good and important start, is nowhere near the kind of intense and appropriate review one would find, say, in a grand jury or true forensic criminal evaluation," said SNAP Midwest director Peter Isely, who identifies himself as a victim of a Capuchin at St. Lawrence.

"In comparison to that standard, the true transparency the Capuchins say they want has yet to be realized and even seems distant," he continued. "But in comparison to other religious orders or dioceses, the Capuchins certainly merit special recognition and credit, especially because they undertook this effort voluntarily, not through some court ordered dictate or criminal investigation."

While Tuesday's audit says the province initially responded to alleged victims of abuse at the school with compassion, that response changed when the province's insurance carrier retained its own counsel, separate from the province's general counsel.

"The auditors conclude that provincial leaders essentially surrendered their response to the victims to defense counsel," the auditors state. "This caused many victims to feel alienated and revictimized due to the tactics of the attorneys."

The auditors' review also touches the Milwaukee archdiocese's response to the situation, as the report states that in one case involving abuse at the seminary, a priest mentioned the matter to Archbishop Rembert Weakland, who led the archdiocese from 1977 to 2002.

"Archbishop Weakland provided some guidance, but took no action in response to the disclosure of sexual abuse," the report states. "This oversight is important because, as archbishop, he had authority over all apostolic and pastoral work that took place in the archdiocese."

Celichowski commissioned the provincial audit in June 2012 following the previous commissioning of an "audit work group" in December 2011 to develop a process for the review.

A June 2012 press release announcing the audit said it drew on Celichowski's participation in an April 2011 conference at Marquette University Law School on listening to survivors' stories.

While reports of the nature undertaken by the Capuchin province are rare, at least one similar audit was released last year by the Spiritan Fathers' Irish Province.

Although the report of that province was much shorter -- 33 pages in length -- and dealt mainly with current policy for abuse reporting, it also highlighted issues of church culture as preventing adequate

responses to abuse.

Citing three issues it said "are common across the Church and not specific to the Spiritans," the auditors in that case said one significant problem was "a culture where children did not have an opportunity to speak and to be heard," which "contributed to the continuation of abuse."

Among the recommendations made in the Capuchins' report:

- The provincial inform the local bishop and the Congregation for the Doctrine of the Faith any time one of the province's friars is credibly accused of abuse. "Any time the victim of sexual abuse is a layperson, which is always the case with minors, that person is under the spiritual responsibility of the local bishop," it states.
- The province consider expanding its category of adults vulnerable to abuse to include those "who are unable to care for themselves or live independently."
- A public statement be posted any place where an accused friar was in ministry "regardless of how long ago it was."
- The province review what constitutes a "credible allegation" of abuse.

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