

**SPECIAL PANEL
ON CLERGY MISCONDUCT**

Diocese of Springfield in Illinois

August 2006

A Diocese of Good Priests

Between February 2005 and July 2006 an unprecedented inquiry revealed serious misconduct by a small number of priests in the Diocese of Springfield in Illinois. Specifically, the probe revealed former Bishop Daniel Ryan engaged in improper sexual conduct and used his office to conceal his activities. The investigation found a culture of secrecy fostered under Bishop Ryan's leadership which discouraged faithful priests from coming forward with information about misconduct. The actions of Bishop Ryan no doubt were harmful and seriously eroded the trust of parishioners and the community at large. Yet, the scope of this endeavor by the Independent Investigator and Special Panel has also served a second purpose, to confirm that the overwhelming majority of priests in the Springfield diocese are devoted, generous servants of Christ and the Church who continue to be worthy of the support of the faithful. Finally, this investigation has also provided unique insight into the trials and humanity of priests, struggling to uphold their vows, who have faltered. Priests who have admitted their failings, have undergone treatment and are actively engaged in aftercare may be considered for return to ministry. Where rigorous honesty and contrition was lacking, the Bishop has fulfilled his pledge to act decisively to ensure the people of the diocese live and work in an atmosphere of integrity. The report that follows is a summary of the results of the investigation.

Creation and Role of the Independent Investigator and Special Panel

Bishop George Lucas was installed as Ordinary of the Diocese of Springfield in Illinois in December 1999. In December 2004, the Chancellor appointed by Daniel Ryan and retained by Bishop Lucas, Msgr Eugene Costa, was involved in sexual misconduct. Msgr. Costa was attacked by two young men when he allegedly propositioned them for sex in a city park. When the allegations against Msgr. Costa came to light, Bishop Lucas immediately removed him from public ministry. At the same time the Costa incident came to light, allegations of sexual misconduct were made against Bishop Lucas by Mr. Thomas Munoz, an area resident.

Amid a climate of increasing doubt and mistrust, Bishop Lucas requested former U.S. Attorney for the Central District of Illinois and States Attorney for Sangamon County, Bill Roberts of Hinshaw & Culbertson LLP to launch an independent investigation into allegations of misconduct by priests of the diocese. The diocese has a separate process for addressing allegations of misconduct against minors; therefore issues of that nature were not addressed by this inquiry. A Special Panel was also appointed to review the results of the investigation and make recommendations. The Special Panel consisted of:

- Carolyn D. Graham of Springfield. Graham is a mother, community activist and long-time member of Blessed Sacrament Parish in Springfield
- The Hon. William Haine. Haine, a member of St. Mary Parish in Alton, is state senator representing Illinois District 56 and a former Madison County State's Attorney.
- Father Kurt Hartrich, OFM. Franciscan Father Hartrich is pastor of St. Francis Solanus Parish in Quincy and chair of the diocesan Presbyteral Council.
- Sgt. Robert Sgambelluri. Sgt. Sgambelluri is a state law enforcement investigator and a member of Cathedral of the Immaculate Conception Parish in Springfield.
- Sister Joan Winkler, OSF, of Springfield is Provincial Superior of the Hospital Sisters of Third Order of St. Francis and Chairs the Board of Trustees for Hospital Sisters Health System, governing 13 hospitals in Illinois and Wisconsin.

Mr. Roberts held periodic briefings with the Panel in 2005 and 2006. In May 2006, Mr. Roberts provided a summary of his investigative findings to the Special Panel. Members met in closed sessions, deliberated the findings and formulated recommendations.

The Reliability of the Findings of the Independent Investigator

Throughout this process, the Special Panel questioned Mr. Roberts about the information he reported. In every case Mr. Roberts was open and complete in his responses and reported what was known as well as what could not be known. He showed no evidence of bias and reported his findings without prejudice. As well as possible under the circumstances, Mr. Roberts separated fact from rumor. By all appearances, his investigation was thorough. Therefore, it is reasonable to conclude that the findings presented to the Special Panel were true, complete, and fair. It is possible other witnesses, unknown at the time of this report, may come forward once the results of the investigation are made public. The dynamics of this investigation have produced some level of expectation that more facts could surface in the future.

Recommendations for acting upon charges of future misconduct

- Based on the perspective of those involved in this report, the functions of both the Panel and the Independent Investigator should be retained.
- Credible allegations of criminal behavior by a member of the clergy should immediately be referred to the appropriate authorities for a criminal investigation with the assurance of full cooperation by the diocese. Credible allegations of non-criminal misconduct should be reviewed by the Bishop and the Special Panel.
- When there is credible evidence of non-criminal misconduct by a member of the clergy, the Bishop should use all means available within canon and civil law to ensure the safety of all persons, to protect the integrity of the Church as an institution, to assist those harmed, and to hold accountable those accused of misconduct.
- Those who acknowledge their error, express sincere repentance and a desire to change, agree to rehabilitation and genuinely participate in treatment should be affirmed for their courage and humility in seeking assistance.
- Priests under the authority of the diocesan Bishop who have engaged in misconduct may be returned to ministry provided there is clear and convincing evidence that person has acknowledged wrongdoing, repented and is sufficiently in recovery so as not to present a threat to the spiritual, psychological, or physical well-being of himself or others.
- The Panel should periodically review cases of those returned to ministry to ensure continued monitoring and close supervision.
- Reintegration of clergy into ministry following misconduct-related leave should be done with openness and transparency. Parishioners should be informed of the misconduct, restitution and remedy.

Recommendations for Financial Controls

- Evidence of improper financial activities was reported at several parishes. A change in financial oversight in the Springfield diocese should be initiated. In accordance with canon law, Bishop Lucas should mandate all parishes have active Parish Finance Councils. Parishes should be monitored to ensure the Council's services are utilized at least quarterly.
- Unannounced financial reviews should be conducted as well as an automatic review when there is a change in pastors or reason to suspect impropriety.

- Evidence of embezzlement or theft of church money or property by priests or laity should immediately be referred to the appropriate civil authorities for investigation.

Recommendations for Computer and Internet Policies

Mr. Roberts identified instances of misconduct where computers were used to access inappropriate sites and were otherwise employed in a manner inconsistent with the mission of the Church.

- The diocese should implement and publish a strong policy regulating the use of diocesan and church-owned computers. This policy should include random computer audits. The following policy statement adapted from the Diocese of Rockford, can serve as a model:

Diocesan computers, computer networks, voice mail and/or related equipment (including, but not limited to, computer hard drives, software, telephone transmission lines, telephone equipment, etc.) are to be used solely for diocesan business. Non-job related use of such equipment is strictly prohibited. The use of e-mail, computer network, voice mail and/or related equipment shall be in accordance with the following. Diocesan Personnel are prohibited from:

- Using passwords, accessing files or retrieving stored information without proper authorization.
- Displaying or transmitting any communication that may be construed as harassment on the basis of race, sex, national origin, age, disability, religion, ancestry or other group protected by law. Such prohibited communications include, but are not limited to, sexually explicit images, messages, cartoons, ethnic slurs, racial epithets and similar communications.
- Deleting, examining, copying or modifying data, files, e-mail and/or voice mail without proper consent or authority.
- Introducing computer viruses or other disruptive or destructive programs into a computer or other equipment or programs.
- Accessing inappropriate web sites.
- Using computers, networks, voice mail and/or related equipment in any other non-work related manner that the diocese views as inappropriate.

All electronically generated information produced on diocesan equipment and property is considered to be the records and property of the diocese. To ensure the proper use of e-mail, computer network, voice mail, telephone transmission lines and/or related equipment, the diocese reserves the right to monitor and access any of those systems and equipment at any time, with or without notice.

Recommendations for Unfettered Two-way Communication

During the course of the inquiry Mr. Roberts reported that people were frequently wary about coming forward with information. It is believed this culture of mistrust started under Bishop Ryan due to the manner in which he exercised his authority. Mr. Roberts heard of incidents during Bishop Ryan's tenure where those seeking assistance were either penalized or ignored. A message consistently heard was "The people need someone to talk to." The people of the Church, both priests and laity, have a need for a reliable resource where they can turn to relate their concerns with confidence that these issues should be seriously considered and acted upon appropriately. The current system utilizing an independent investigator should be retained. This system allows persons with concerns to refer questionable conduct to an identifiable person for investigation.

- The toll free confidential telephone line and e-mail address should be retained, publicized and monitored by a person or persons with the judgment, independence and authority to do what is appropriate with the materials received.

Recommendations for Screening and Evaluation of Seminarians and Continuing Education of Clergy

It is evident that both locally and globally some men who enter the priesthood are unsuited for that calling for a variety of reasons. Although measures are already in place to screen candidates for the priesthood, these measures should be examined and improved to more accurately identify those not suitable for ministry. This screening should occur prior to acceptance to seminary education and again prior to ordination.

- Bishop Lucas should establish an appropriate board to assist in the screening process.
- Priests and others who serve the diocese should receive continuing education in the signs, symptoms, and treatment for addictive behaviors.

Particular Concerns

Bishop Daniel Ryan – Bishop Ryan engaged in sexual misconduct with adults and used his authority to conceal this misconduct. Although denied by Bishop Ryan, this behavior did occur and caused scandal in the Church by leading others to do evil. It resulted in feelings of hurt and anger, as well as thoughts of doubt and mistrust both in the Church as an institution and in its leaders. There is anecdotal evidence of local Catholics abandoning the faith

as a result of that behavior. Bishop Ryan no longer resides in the diocese and no longer participates in public ministry.

Msgr. Eugene Costa – As mentioned earlier, Msgr. Costa was attacked by two young men when he allegedly propositioned them for sex in a city park. Civil authorities reviewed the evidence and declined to prosecute Msgr. Costa. Msgr. Costa was immediately removed from public ministry and has submitted to a psychological evaluation and follow-up treatment. Bishop Lucas is taking the necessary steps within canon law to permanently bar Msgr. Costa from future ministry.

The Designation of Monsignors – There exists the perception that Bishop Lucas rewarded those who protected Bishop Ryan by granting them the title “Monsignor” in 2003. In conjunction with the celebration of the 150th anniversary of the diocese, the committee overseeing the festivities recommended that 15 priests be honored with the title by the Holy See at the request of Bishop Lucas. Msgr. Renken, then Vicar General, chaired the committee making the Monsignor recommendations. Bishop Lucas acted upon the recommendation of his Vicar General and on what he believed to be the recommendation of the committee. Though no evidence suggests Bishop Lucas was aware of any wrongdoing of the honorees at the time that he requested these priests be given the title of Monsignor, the Panel feels Bishop Lucas could have been more thorough in researching the character of some of those recommended.

The Allegations of Thomas Munoz – Thomas Munoz, an area resident, claimed to have participated in sexual activities with Bishop Lucas, five priests and three unnamed seminarians. The investigation finds with certainty that allegation was false. Mr. Munoz has a documented history of criminal and deceptive behavior. After voluntarily submitting to a polygraph examination which he failed, Mr. Munoz has since refused to cooperate further with Mr. Roberts. Mr. Roberts and the panel found no merit to the allegations of Mr. Munoz.

Msgrs. John Renken and Kenneth Steffen – An investigation continues into Msgrs. Renken and Steffen who are now on leave because of allegations of personal and ministerial misconduct. Both persist in denying knowledge of circumstances that would prompt allegations or questions. Attempts by the Bishop to remedy the situation were rebuffed by both Msgr. Renken and Msgr. Steffen.

PANEL OBSERVATIONS AND CONCLUSION

The Diocese of Springfield in Illinois has changed significantly since the appointment of Bishop George Lucas. The appointment of an independent investigator to explore allegations of misconduct, along with a panel to review the findings and make recommendations on actions to be taken, are examples of steps taken to restore trust in the local Church. The Bishop has demonstrated a willingness to rely upon Canon Law to repair scandal, restore justice and reform the offender. Bishop Lucas endeavors to stay attuned to the needs of his Church. In doing so he has been required to make difficult decisions reflecting an understanding of his pivotal role in fostering the future of the diocese.

Under the leadership of Bishop Lucas both clergy and the laity are now starting to sense positive change. This recommended system of vigilant oversight will strengthen the credibility of the Church and thereby lead others to a deeper participation in its mission.