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27 January 2013

Memo To: Archbishop Nienstedt, Bishop Piche, Father Laird, Ms. Haselberger ✓
From: Father Kevin McDonough
Re: Father Jon Shelley

I regret my lack of clarity about the role I was expected to fulfill in this matter and the resulting delay in this process. Recent conversations have helped me understand how my involvement might be useful. Permit me to offer the following for your reflection:

1. The opportunity to review the data files returned from Mr. Setter was helpful (and also surprising – I do not believe I knew of the existence of that electronic material, either eight years ago or until very recently). In early December I reviewed as much of the pornographic material as seemed to me to be useful, and found no reason to overrule the investigator's conclusion from eight years ago. I paraphrase him to say that the great bulk of the material was pornographic images of adults, although some were "borderline" as to the age of the models involved. Every image I viewed (about 300-400 of the estimated 1300 images) involved people who were clearly adults. Subsequently, with Ms. Haselberger's help, I reviewed some specific images involving minors, but those images are not in my judgment pornographic. Please note how I address the question of child pornography in the attached draft report. I suggest that this report be submitted to the Holy See, but if Archbishop would like me to re-write that concluding report, I will attempt to do so.
2. There are two matters that have come fresh to me, however, as a result of reviewing Father Shelley's file and, especially, the investigative report from Richard Setter. A brief explanatory note: although I would likely have had access to all those materials in 2004, I have no memory of ever having seen them. It may be that I relied on Bill Fallon, then our civil chancellor and the point of contact with the investigator, to give me a verbal summary. Or perhaps I have simply forgotten the graphic and offensive nature of what was there. Whatever the reason for my not seeing these questions clearly then, I believe that they are still worth addressing now.
3. The first question: Father Shelley's explanation for the presence of pornographic images on his computer was incomplete and misleading. I could not recall having spoken with Father Shelley about that in 2004, so I talked with Father Shelley about this falsehood about a month ago. He admitted that he had misled me eight years ago, but said that he subsequently has been more straightforward with Bishop Piche. If Bishop Piche will confirm that, then I think this first question should not constitute a barrier to ministry.
4. The second question: With the investigator's report and his own admission that much of the pornography on the computer was downloaded by Father Shelley, one could continue to question about his psychological and spiritual fitness for ministry. My understanding is that Father's 2004 psychological assessment did not show significant psychopathology, but rather pointed to his needing to address basic issues of life balance. Once again, if current archdiocesan leaders believe he has made the necessary changes to his life, then he should be returned to ministry.

Please let me know what you think of all this, and how I might help to move the process ahead.

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