

Diocese's response to obstruction of justice claims

GREEN BAY, Wis. (Dec. 21, 2010) – Amid allegations of obstruction of justice, the Diocese of Green Bay says it will vigorously defend itself and demonstrate its innocence when the Merryfield case, a pending civil case, moves on to a jury trial in Outagamie County.

Attorneys for Troy and Todd Merryfield submitted a "Motion to Prevent Document Destruction" in Outagamie Circuit Court on November 15, 2010. Attorneys for the Diocese of Green Bay filed a brief in opposition to the plaintiffs' motion on November 23, 2010.

The Diocese of Green Bay has reported every credible allegation of sexual abuse against a minor by a member of the clergy to the appropriate District Attorney of the county in which the alleged incident occurred. The Diocese cooperated completely with law enforcement authorities in every one of those cases.

In order to be in compliance with the Federal Health Insurance Portability & Accountability Act (HIPAA) of 1996, the Diocese cannot, and does not, retain psychological reports on priests, deacons, and employees in personnel files.

After civil litigation was commenced against the Diocese in January, 2008, at no time were documents pertinent to the lawsuit disposed of.

The Diocese of Green Bay has had a record retention policy and schedule since 2006 that applies to all documents created or received by all departments within the Diocese. The purpose of the policy and schedules is to ensure that there is a comprehensive and timely review of documents that should be maintained and preserved for specific periods of time and for documents that can be disposed of.

John Feeney, a former priest of the Diocese, was criminally convicted on Feb. 26, 2004, for his acts against the plaintiffs, and is serving a 15-year sentence. Feeney, who is 83 years old, was prohibited from priestly ministry on Dec. 15, 1986, and was dismissed from the clerical state (removed from the priesthood) on June 3, 2005.

In the pending civil case in Outagamie County, Troy and Todd Merryfield accused the Diocese of fraud and sought punitive damages for molestation 32 years ago by Feeney.

The Diocese remains committed to reaching out to victims and survivors of clergy abuse. Bishop David Ricken has continually stated that he is willing to meet with victims/survivors, listen to their story and help them in their journey. Likewise, Diocesan policies for keeping children safe are and will continue to be rigorous. The policies include:

1. Mandated background checks and abuse prevention training of all staff and volunteers in our parishes, schools and diocesan offices (approximately 21,000 people)
2. Barring from ministry any clergy who have a credible allegation of abuse of a minor against them
3. Mandatory reporting of all credible allegations of abuse to local law enforcement authorities. This has ensured that due process within our legal system takes place. Year after year, the Diocese has demonstrated its compliance with its policies, with national standards, and adherence to state law.

More information is available on the Diocese's web site (www.gbdioc.org) under the section titled "Protecting Our Children."