
Chapter Four: Review of Cases

A. The Commission's Methodology.

Two principles guided our review of the cases which were presented to us. First, the Commission believed that there is no acceptable level of risk to children and adolescents in regard to sexual misconduct. Second, the Commission believed that any right a priest may have to engage in parish ministry must give way to the greater right of minors to be safe in their parish, and the greater right of the entire parish community not to have its trust broken.

All doubts about individual cases, therefore, have been resolved in favor of the minors and the Church community. We reviewed the cases to determine if it was more likely than not to believe that the accused priest had engaged in sexual misconduct with a minor. This preponderance of evidence standard can be stated in this way: Would a reasonable person, viewing the evidence in the light most favorable to the victims, believe it was more likely than not that the alleged acts occurred, that they constituted sexual misconduct, and that the priest committed the acts. Hearsay is acceptable evidence to reach this conclusion. Its reliability determines the weight given to it; its reliability is determined by the Commission (the trier of fact) from the totality of the circumstances.

B. The Commission's Findings.

During the years from 1951 to 1991, 2,252 diocesan priests have served in the Archdiocese of Chicago. We reviewed 57 cases involving archdiocesan priests with various degrees of documentation. We also reviewed the cases of two externs (from other dioceses) and three other cases where, we eventually learned, the victims were adults, not children.

The earliest case which we reviewed was reported to the Archdiocese in 1963. The following chart lists the number of cases reported each year:

1963	1	1985	3
1966	1	1986	7
1968	1	1987	5
1970	1	1988	5
1979	1	1989	3
1980	1	1990	11
1982	2	1991	8
1983	3	1992	3
1984	1		

It should be noted that the offenses in some cases predated the reports by years, even decades in a few cases.

The information which the Commission acquired indicates that the alleged offenses occurred as follows:

1952	2	1980	4
1956	3	1981	2
1960	1	1982	5
1962	2	1983	1
1964	1	1984	1
1967	2	1985	6
1968	2	1986	6
1970	2	1987	2
1971	2	1988	2
1973	1	1989	1
1976	1	1990	1
1978	1	1991	4
1979	2		

Twelve cases involved girls only, all of them teenagers except for two 6-year-old nieces who were abused by an incestuous pedophile priest-uncle.

Two cases involved both boys and girls, one with a number of 6-year-olds and one with several boys and one girl in their early teens. Both of these were found not to be sexual misconduct with minors.

Forty-three cases involved boys only. Of this number, 39 involved boys from ages 12 through 17, most of them aged 15-16. The other four cases involved prepubescent boys; the Commission found that none were sexual misconduct. The overwhelming number of cases, in other words, involved homosexual ephebophiles, that is, priests sexually attracted to young teen-aged boys.

While media reports have long focused on "pedophile priests" in the Archdiocese, our findings are quite different. There was only one founded case of pedophilia involving a priest-uncle with two 6-year-old nieces, as noted above. The other allegations of pedophilia, as also noted above, were unfounded. One involved a priest who was accused by two different 7-year-old boys. After an extensive review of the evidence in both cases, the Commission concluded that the charges were unfounded. Another with several 6-year-old girls and boys in a first-grade classroom involved only tickling

and questionable language. A third involved a 3-year-old boy where the priest was accused by the parish secretary after threatening to report her to DCFS for neglect of her child. And the last involved the discipline of an 11-year-old with a pants-down spanking.

C. The Commission's Conclusions

In sixty-two cases, the Commission engaged in an active review of the files, reports, and allegations. Three of the sixty-two involved adults and were dropped from the process of review because our mandate was to review cases involving sexual misconduct with minors. Of the remaining fifty-nine cases, two involved externs, one of whom was residing at a parish, both of whom committed the offenses outside the Archdiocese prior to being given priestly faculties in the Archdiocese to minister, one at a hospital and another at a retirement home. The Commission recommended immediate removal of the extern priest who was residing in a parish. The faculties of both priests have since been removed, and both are out of the Archdiocese now. They have returned to their dioceses of origin, with full disclosure made to their Ordinaries.

In eleven cases, the Commission received reports from the Vicar for Priests and the Cardinal, and since they were cases where action had been taken for removal, the Commission concurred. In six other cases, no Commission action was required since the priests, two of whom had resigned, two of whom had retired, and two of whom had died, were no longer a risk to children.

In eighteen cases, the finding was that no sexual misconduct had occurred. In four cases, the charges were found to be groundless and without substance. In fourteen cases, there was inappropriate and immature behavior which did not rise to the level of child sexual abuse or molestation. The Commission recommended counselling in these cases.

There are two cases pending where non-specific charges are currently being looked into by the Vicar for Priests. No names of victims or specific charges of sexual acts with children have been provided. The priests have not been removed because, at present, there is no probable cause to believe misconduct has occurred.

There is one case where the priest has been charged, out of state, by the criminal justice authorities. The Archdiocese had removed this priest from parish ministry prior to the charges being filed. No further action is recommended by the Commission pending the outcome of those criminal charges.

Then, in those cases where sexual misconduct was found, the Commission weighed the seriousness of the misconduct, the number and age of the victim(s), the dates of the offenses, the present circumstances of the respective priest's assignment. Then we made a recommendation to Cardinal Bernardin regarding the present risk of those assignments.

In five cases, we recommended the immediate removal of the priests from parish ministry because of the serious nature of the offenses and the present danger the priests posed to children in their parishes.

In six cases, the Archdiocese had already removed the priests from parish ministry. After reviewing these cases, the Commission concurred in regard to the serious nature of the cases and the risk which those priests had posed to minors. In two of the cases, the Commission recommended removing the priests from residence in parishes.

Of the remaining eight, the Commission has made recommendations and the Archdiocese is in the process of implementing these. All the men have been professionally evaluated and all are under close supervision. Several are in the process of being reassigned to non-parish ministries.