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July 3, 1993

Bradley M. Schaeffer, S.J.
Francis J. Daly, S.J.
Chicago Province of the Society of Jesus
2050 North Clark Street
Chicago, Illinois 60614-4788

Dear Father Schaeffer and Father Daly:

Thank you for your letter to dated June 7, 1993, apprising him of the current situation regarding Father McGuire. We wish to thank you also for your investigation and your timely responses to our concerns.

May 11, 1993 letter to you addressed five concerns:

1. That you conduct an investigation thorough enough to convince you of the accuracy of the allegations;
2. That you keep us apprised of that investigation;
3. That Father McGuire receive sufficient care and adequate rehabilitation under the circumstances;
4. That Father McGuire be removed from exercising his priestly, teaching, and counseling activities to prevent additional harm until rehabilitation is complete (We would rely on Father John Hardon's opinion and direction for this and for #3 above);
5. That any others potentially involved with Father McGuire be contacted and provided with pastoral care.

Your letter in response to letter addressed our first three concerns, though to what extent we are not certain. For example, it is especially important that we know to what degree our specific allegations were substantiated.

You must realize that we have a moral obligation to ask and to verify to determine how to proceed. You understandably may be reluctant to include details in your correspondence with us. However, without sufficient details, we will be forced to proceed on our own. We are in receipt of a flyer announcing a Father McGuire Retreat on September 23 through September 26, 1993 in the San Francisco area. From the limited information that we currently have, this causes us grave concern.

We wish to remind you also that one issue most outstanding in our minds at this time is the potential violation of Code of Canon Law, Section 1388, regarding misuse of the

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Sacrament of Penance. It is a serious violation of Canon 1388 for a priest to intentionally reveal what he identified as confessional material in an effort to manipulate parents to decide regarding their son against their better judgment. It appears from the Canon that the possibility of automatic excommunication, and the associated potential loss of priestly faculties, exists... What action has been taken? What action will be taken?

While we have no wish to legislate your handling of this matter, it is of a sensitive enough nature that we must be satisfied that following five concerns have been met:

1. That we be apprised of sufficient details of all investigation results and of your actions taken throughout in order to be able to make a reasonably informed decision to avoid proceeding on our own;
2. That Father McGuire be entirely removed from ministry for a sufficient length of time to be completely rehabilitated, so that we can be assured that no further harm will occur either to Father McGuire or to others under his influence (this includes potential Section 1388 abuses of priestly authority);
3. That any other potential victims, specifically he identified, approached, and provided with pastoral and other care as needed;
4. That Father John Hardon, S.J., assuming Father McGuire's consent, be brought in to administer to Father McGuire's spiritual needs.

We understand that there is a fine line between allowing you to exercise your legitimate authority and requiring you to exercise that authority in a certain way. As you know, we approached you first with our concerns. It is important to us that all authority remain with you. We have no wish to proceed on our own, for the sake of you, your Province, the Jesuits, the Church, Father McGuire, those under his influence, the outside community, and ourselves. However, we will proceed on our own if we do not feel that there is a permanent resolution.

We want also to make it very clear both to you and to Father McGuire that our ultimate goal is that Father McGuire receive the best of spiritual, psychological, and physical care, and that he is able to return happy and healthy to his ministry at an appropriate future date.

In the Lord.

~~_____~~
cc: |
Joseph Fessio, S.J.
~~_____~~
Father Tony Thurston