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To Luke Moretti

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Mon 5/17/2021 10:52 AM

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I am happy to offer the following:

As you are aware, two allegations of sexual abuse were brought against Fr. Venne, whose case was properly referred to the Independent Review Board of the Diocese of Buffalo and investigated thoroughly, and then subsequently sent to the Holy See's Congregation for the Doctrine of the Faith with the results of the investigation for a final determination of the veracity of the complaints.

As background, the USCCB has provided guidance to all of the nation's bishops regarding the process and repeatedly advises bishops that the entire Review Board process in connection with allegations of abuse is part of a preliminary investigation. The USCCB's Diocesan Review Board Handbook states:

"The role of the Diocesan Review Board is to function as a confidential consultative body to the bishop/eparch in discharging his responsibilities and is not to be confused with the role and responsibilities of the Congregation for the Doctrine of the Faith which is solely competent with regard to the status of the priest and any canonical process that should be followed to resolve allegations or admissions of guilt concerning the sexual abuse of minors by clerics."

Elsewhere, the guidance on the canonical process states:

"The preliminary investigation is not a trial (or even a pre-trial hearing); the matter is not yet before the tribunal and the issue is not yet in contradictorio. The preliminary investigation is an 'administrative' action. Therefore, the accused does not have a series of procedural rights to be protected as he would have at a trial."

Nevertheless, in Fr. Venne's case, the Independent Review Board (IRB) did consider the package that Fr. Venne's attorney submitted including medical records and a report from his forensic mental health counselor (which report included a reference to the results of an unsigned polygraph test allegedly performed by someone else). The attorney's submission was reviewed and considered by the investigator who handled the case and by the IRB. Bishop Malone accepted the IRB's determination that the allegations against Fr. Venne were credible and the recommendation that Fr. Venne not be allowed to resume active ministry.

Fr. Venne's case was appropriately referred to the Holy See's Congregation for the Doctrine of the Faith and was returned with the penalty of "prayer and penance" for a period of 7 years. Fr. Venne has not been laicized, though he may not present himself publicly as a priest. It is our understanding that Fr. Venne has appealed the decision of the Congregation, the status of which is unknown at this time.

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