

# Justices deny priest right to know accuser

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A Roman Catholic priest investigated for child sexual abuse during his tenure at a parish in Comfrey, Minn., does not have the right — not yet, at least — to know the name of his accuser, the Minnesota Supreme Court has ruled.

However, in overturning a decision by the Minnesota Court of Appeals in a ruling to be issued today, the justices ordered that the case be sent back to Brown County District Court. A judge there must determine whether the allegations against the Rev. Michael Guetter were false or

were made in bad faith.

If the judge finds that they were, Guetter then can obtain the name of the person who made the allegations, which he has called "absolutely false and groundless."

The justices found that the Legislature intended to protect the anonymity of people who report child abuse, unless there is direct evidence of a false report or one made in bad faith. In fact, Guetter's case prompted legislators earlier this year to rewrite state law to include that specific language, the court found.

Although language about false re-

ports and bad faith was not included in the law when it was written in 1982, the justices found that legislators intended to include those requirements.

Guetter, 72, is a priest at St. Paul's Catholic Church in Comfrey. The justices found that he has "enjoyed an unsullied reputation for more than 45 years in his pastoral service to the church."

He was accused in 1986 of having sexually abused children at the Comfrey church. A subsequent investigation by the Brown County Family Services Department failed to turn up evidence to charge him with a

crime, and the county took no action to protect minors under his supervision.

However, when county authorities announced that they did not have enough evidence to charge Guetter with a crime, they "gratuitously added" that "the general allegations of improper conduct by Father Guetter were supported," the justices wrote.

Because of that declaration, Guetter's "reputation and church calling had been ruined beyond repair," the ruling says. Guetter asked the District Court to provide him the name or names of his accuser, a request agreed to by Judge Noah Rosen-

bloom.

Rosenbloom found that the name of an accuser shall be "confidential but accessible to the individual subject of the record upon court order once the investigation is completed." He was upheld by the Court of Appeals.

Brown County officials argued that a more stringent standard, whether the report was false or made in bad faith, should apply to the release of the accuser's identity. Now Rosenbloom must examine Brown County's file on Guetter to determine whether he can find any evidence of bad faith, the justices said.