

September 14, 2005

Archbishop Angelo Amato, SDB  
Congregation for the Doctrine of the Faith  
Piazza del S. Uffizio 11  
00193 Rome, Italy

Your Excellency:

In accord with the norms of *Sacramentorum sanctitatis tutela*, I am submitting for your consideration the case of a priest of the Archdiocese of Milwaukee. Reverend John C. Wagner has been accused of sexual abuse of minors. The summary of these allegations is enclosed. Father Wagner has admitted that some acts of sexual assault occurred but denies others.

Over the years, efforts were made to provide spiritual and psychological interventions that would rehabilitate Father Wagner. Although he was in therapy for the admitted behaviors and even went so far as to make a recommitment to celibacy before two auxiliary bishops and his therapist, he continued to re-offend. He has been without any assignment and under precept not to exercise ministry for the last ten years. With our current understanding of the nature of his condition, it is clear that he will never be able to assume any public ministry. He has cooperated with the precepts placed upon him regarding no exercise of ministry. However, from the latest report we have received, he has not been in compliance with the order to have no unsupervised contact with minors. With this latest revelation that the teenaged nephew of [REDACTED] has been spending time with Wagner at his residence for the last few years, concerns are raised anew. It is impossible to provide the level of monitoring that would seem to be required in this case. Father Wagner will not move to a supervised residency. Therefore, the liability for the Archdiocese is great as is the potential for scandal if it appears that no definitive action has been taken.

As we have reviewed the various files and heard reports from victims, it is clear that he consistently abused his office both to gain access to vulnerable adolescents, male and female indiscriminately, and to elicit the trust of their parents. Both in his parochial assignments and in his campus ministry positions, he found opportunities to abuse his office in a flagrant and repetitive fashion. He has exhibited no remorse for these serious offences. His only concern has been his financial status. It was on the basis of finances that the canonical procedures in 1995 were abandoned.

The impact on his various victims has been significant. The Archdiocese of Milwaukee has yet to even locate all of the potential victims that could come forward for assistance. Our new found awareness of the severity of damage caused by sexual abuse at the hands of clergy makes it impossible for us to ignore this situation or allow any longer the unresolved nature of this case.

**ADOM040053**

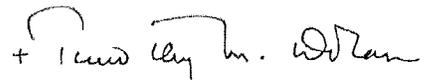
Given the nature and frequency of the alleged and admitted sexual abuse, along with the serious abuse of office, I have pondered long and hard to arrive at an opinion about the most appropriate action to be taken. In order that justice may be made manifest and healing of the victims and the Church may proceed, I am asking that Reverend John C. Wagner be dismissed *ex officio* from the clerical state. Whatever financial needs he may have can be provided for from a fund that can be set up for him until he is eligible for a pension.

If the judgement of Your Eminence is that this case should proceed to a dismissal by decree of your Congregation, I would cede to that judgement. The severity of the offenses is such that it is my opinion that these requests are justified.

I look forward to your further instructions in this matter.

With sentiments of deepest esteem and prayerful best wishes, I am,

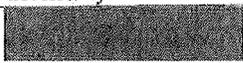
Sincerely yours in Christ,

A handwritten signature in cursive script, reading "Timothy M. Dolan". The signature is written in black ink and is positioned above the typed name.

Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

**ADOM040054**

<b>DIOCESE</b>	Milwaukee
<b>NAME OF ORDINARY</b>	Timothy M. Dolan
<b>CDF PROT. N. (if available)</b>	
<b>NAME OF CLERIC</b>	John C. Wagner

<b>PERSONAL DETAILS OF THE CLERIC</b>	<b>Date of Birth</b>	March 6, 1945	<b>Age</b>	60
	<b>Ordination</b>	June 9, 1973	<b>Years of ministry</b>	20
<b>ORIGINAL DIOCESE OF INCARDINATION</b>		Milwaukee		
<b>MINISTRY IN/TRANSFER TO OTHER DIOCESE</b>		Now living, but not ministering, in Diocese of Green Bay		
<b>CONTACT ADDRESS OF THE CLERIC</b>		 Kewaunee, WI 54216		
<b>PROCURATOR (include original signed mandate)</b>		No mandate produced; worked with Rev. Daniel Ward, OSB in 1993-1995		
<b>CONTACT ADDRESS OF THE PROCURATOR</b>				
<b>ASSIGNMENTS</b>				
<b>Year</b>	<b>Parish</b>	<b>Location</b>	<b>Appointment</b>	
1972	St. Frederick Parish	Cudahy, WI	Deacon	
1973 -1974	St. William Parish	Waukesha, WI	Associate pastor	
1974 -1976	St. Mary Parish	Sheboygan Falls, WI	Associate pastor	
1976 -1981	University of Wisconsin, Sheboygan	Sheboygan, WI	Campus minister	
1982 -1986	St. Patrick Parish and University of Wisconsin, Whitewater	Whitewater, WI	Pastoral team and campus minister	
1987 -1992	St. Catherine Parish	Milwaukee, WI	Associate pastor	
<b>ACCUSATIONS AGAINST THE CLERIC</b>				
<b>Year</b>	<b>Victim</b>	<b>Age</b>	<b>Imputable Acts</b>	<b>Denunciation</b>
1986		Unclear	Unclear from records – “sexually propositioned” but unclear if any act occurred	1986
1986		Unclear	Unclear from records – “sexually propositioned” but unclear if any act occurred	1986

ADOM040045

1986	[REDACTED]	15	Sexual, genital fondling	1986 – first report 1990 – police investigation 1992 – civil suit
	[REDACTED]	15	Sexual, genital fondling	1993 – first report 2005 – mediated settlement
1972	[REDACTED]	16	Rape	2003 – first report 2005 – mediated settlement
1969	[REDACTED]	13	Sexual, genital fondling (one time)	2002 – first report 2005 – mediated settlement
1968-70	[REDACTED]	13-15	Sexual, genital fondling	2005 – mediated settlement
1970's	[REDACTED]	13-16	Unclear	2005
1970's	[REDACTED]	14-15	Sexual, genital fondling	2005 – mediated settlement
1982	[REDACTED]	13-15	Sexual, genital fondling	2006 – mediated settlement (deceased 2007)

**CIVIL PROCEEDINGS AGAINST THE CLERIC**

Year	Type/Case	Conviction	Sentence (include copies of civil documents)
1990	Criminal investigation [REDACTED]	Beyond statute of limitations	
1992	Civil suit ([REDACTED])		Out of court settlement for \$100,000
2005	Mediated settlement ([REDACTED])		Out of court settlement for \$101,164
2005	Mediated settlement ([REDACTED])		Out of court settlement for \$90,000
2005	Mediated settlement ([REDACTED])		Out of court settlement for \$72,500
2005	Mediated settlement ([REDACTED])		Out of court structured settlement for \$80,000
2005	Mediated settlement ([REDACTED])		Out of court structured settlement for \$88,000
2006	Mediated settlement ([REDACTED])		Out of court structured settlement for \$95,000 (negotiated residual paid to estate)

MEASURES ADOPTED BY THE DIOCESE	
Year	
1986	Moved Wagner out of parish ministry and sought therapeutic intervention; only allowed to return to ministry after 11 months upon recommendation of two psychologists and a recommitment to celibacy
1992	Again moved out of ministry assignment and placed on unassigned status
1993-1995	Attempted negotiations with Wagner and advocate to bring resolution to status; attempted a process for declaration of irregularity for exercise of orders with no cooperation; placed under precept not to function in ministry and agreed to seek secular employment
SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC	
Monthly support is provided as a housing subsidy in the amount provided to pensioned priests. In addition, health and dental insurance is provided.	
RESPONSE/RECOURSE MADE BY THE CLERIC	
Year	
1982	When asked by his campus ministry supervisor to take an assignment at a certain parish while he was being transferred from one campus ministry position to another, he said he could not go there because in the past he had "messed around with some girls in the parish" when he was teaching there (1967-69) while on leave from the Seminary
1983	Admitted to Vicar for Clergy that he was sexually active both heterosexually and homosexually; claimed celibacy meant not getting married but that sexual interaction was part of life; sent for counseling and required to make a recommitment to celibacy
1986	Admitted that he had been sexually involved with [REDACTED]
1993-1995	Initial cooperation in canonical proceedings but refused to continue; admitted basis for allegations and agreed not to function in ministry
2005	In the course of investigation into [REDACTED] accusation, admitted that he had been sexually active (when confronted with signed statements from several of [REDACTED] friends who admitted they had been in sexual contact with Wagner) bisexually over the years but said he thought they were all older than they were. No explanation for how that was possible with students he had taught. He denies the [REDACTED] claim. He has cut off all contact with the Archdiocese of Milwaukee so we have no statement from him on the three [REDACTED] claims.
BISHOP'S VOTUM	
Given that additional reports have come in, including the concern by the [REDACTED] brothers which states that Wagner has been spending time with [REDACTED] teenaged nephew (despite [REDACTED] warning to his brother), it does not seem possible to leave this situation in the current canonically unresolved state. Further efforts at contact with Wagner have been rebuffed. An administrative laicization would seem appropriate in this case as noted in the attached letter.	

10 July 2006

PROT. N. 257/05-23442  
(In responsione fiat mentio huius numeri)

**CONFIDENTIAL**

Your Excellency,

I write regarding the case of the **Reverend John C. WAGNER**, a priest of your Archdiocese who has been accused of the sexual abuse of minors and concerning whom Your Excellency has requested dismissal from the clerical state *ex officio*

As Your Excellency is aware, this Dicastery, following an initial examination of the case, does not excluded the possibility of presenting your request to the Holy Father. However, before proceeding to a final decision in this case, this Congregation asked Your Excellency in its letter dated 28 February 2006 for more information regarding the cleric's case, especially concerning the acts of the preliminary investigation and also whether the cleric was willing to request freely a dispensation from the obligations of priesthood including, celibacy. To date this additional documentation has not been received at this Dicastery.

For these reasons, we kindly ask that Your Excellency assist us by supplying all the relevant documentation relating to the case either in original or in authentic copy.

If the cleric should decide to seek laicization, he is to be informed that the petition addressed to the Holy Father be formulated in such a way that it contain an admission of the acts perpetrated and include an expression of his sincere remorse.

Awaiting the courtesy of your reply, with prayerful support and best wishes, I remain

Yours sincerely in Christ,



Angelo AMATO, SDB  
Titular Archbishop of Sila  
*Secretary*

(Enclosure)

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His Excellency  
**The Most Reverend Timothy M. DOLAN**  
*Archbishop of Milwaukee*  
3501 South Lake Drive  
Milwaukee, WI 53207-0912, USA.

**ADOM040064**

January 15, 2008

Most Reverend Angelo Amato, SDB  
Congregation for the Doctrine of the Faith  
Piazza del S. Uffizio 11  
00193 Rome, Italy

Your Excellency:

In accord with the norms of *Sacramentorum sanctitatis tutela*, I am submitting once again for your consideration the case of a priest of the Archdiocese of Milwaukee, Reverend John C. Wagner, who has been accused of multiple counts of sexual abuse of minors. The summary of these allegations is enclosed. The chart is highlighted with updated portions showing that additional concerns have arisen. Father Wagner has admitted that some acts of sexual assault occurred but denies others. He has now cut off all contact with representatives of the Archdiocese so we have no way of confronting him on these additional reports, especially the extremely disturbing one that he may still be in contact with teenage boys. Therefore, the liability for the Archdiocese is great, as is the potential for scandal if it appears that no definitive action has been taken. Pending state legislation to abolish retroactively the statute of limitations will gain more supporters if it appears we are letting these pending cases languish.

As we have reviewed the various files and heard reports from victims, it is clear that he consistently abused his office both to gain access to vulnerable adolescents, male and female indiscriminately, and to elicit the trust of their parents. Both in his parochial assignments and in his campus ministry positions, he found opportunities to abuse his office in a flagrant and repetitive fashion. He has exhibited no remorse for these serious offences. His only concern has been his financial status. It was on the basis of finances that the canonical procedures in 1995 were abandoned.

The impact on his various victims has been significant. The Archdiocese of Milwaukee has yet to even locate all of the potential victims that could come forward for assistance. Our new found awareness of the severity of damage caused by sexual abuse at the hands of clergy makes it impossible for us to ignore this situation or allow any longer the unresolved nature of this case.

**ADOM040048**

Given the nature and frequency of the alleged and admitted sexual abuse, along with the serious abuse of office, I have pondered long and hard to arrive at an opinion about the most appropriate action to be taken. In order that justice may be made manifest and healing of the victims and the Church may proceed, I am asking that Reverend John C. Wagner be dismissed *ex officio* from the clerical state. Whatever financial needs he may have can be provided for from a fund that can be set up for him until he is eligible for a pension.

If the judgement of Your Excellency is that this case should proceed to a dismissal by decree of your Congregation, I would cede to that judgement. The severity of the offenses is such that it is my opinion that these requests are justified.

I look forward to your further instructions in this matter.

Thank you.

With sentiments of deepest esteem and prayerful best wishes, I am,

Sincerely yours in Christ,

A handwritten signature in black ink, appearing to read "Timothy M. Dolan". The signature is written in a cursive style with a large initial 'T' and a cross at the end.

Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee

CONGREGATIO  
PRO DOCTRINA FIDEI

00120 Cnta del Vaticano,  
Palazzo del S. Ufficio

22 February 2008

PROS. N. 257/05-26893  
*responsione fiat mentio huns numer0*

CONFIDENTIAL

Your Excellency,

Thank you for your letter of January 15, 2008, with additional information regarding the case of the **Reverend John C. WAGNER**, a priest of your Archdiocese, accused of sexual abuse of minors and concerning whom Your Excellency has requested dismissal from the clerical state *ex officio*.

After having carefully examined the present case, this Congregation has decided to authorize Your Excellency to initiate an administrative penal process as outlined in can. 1720 of the *Code of Canon Law*, granting also a derogation from the prescription concerning the delict *contra sextum* with minors. Your Excellency is therefore kindly requested:

- 1) to inform the accused of the allegations and the proofs, while affording him the opportunity, via his canonical advocate, of a proper defence;
- 2) to evaluate accurately all the proofs' and the evidence with the assistance of two assessors who are competent and renowned for their prudence;
- 3) to issue a decree in accordance with cc. 1342-1350 *CIC*, if the delict can be proven with certainty. The decree should contain the reasons *in iure et in facto*.

If, as a result of this process, Your Excellency Will be still of the opinion that the accused should be *dismissed from the clerical state* or have some other *perpetual penalty* imposed upon him, you are requested to refer the matter to this Congregation. Should a decree imposing such a penalty be issued by this Dicastery *in Congressu Particulari*, the accused would have the right to present recourse to the Ordinary Session of the Cardinal and Bishop Members of this Congregation (*Feria IV*).

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His Excellency  
**The Most Reverend Timothy M. DOLAN**  
*Archbishop of Milwaukee*  
3501 South Lake Drive  
Milwaukee, WI 53207-0912, USA.

**ADOM040067**

Before proceeding with the above-mentioned administrative penal process, Your Excellency is kindly asked to approach the cleric asking him whether he is willing to request freely a dispensation from the obligations of priesthood including celibacy. If the cleric should decide to seek laicization, he is to be informed that the petition addressed to the Holy Father be formulated in such a way that it contain an admission of the acts perpetrated and include an expression of his sincere remorse. Your Excellency is also requested to indicate your own opinion as to the merit of this petition.

I take the opportunity to offer Your Excellency my sincere respects and I remain,

Yours devotedly in the Lord,

A handwritten signature in black ink, appearing to read 'A. Amato', written in a cursive style.

Angelo AMATO, SDB  
*Titular Archbishop of Sila*  
Secretary

**ADOM040068**

ARCHDIOCESE OF CHICAGO

Office of the Metropolitan Tribunal  
Rev. Patrick R. Lagges, J.C.D.  
Phone: (312) 751-8384  
e-mail: [plaggess@archchicago.org](mailto:plaggess@archchicago.org)



155 E. Superior St.  
Chicago, Illinois 60611

Fax: (312) 751-8314

*MOST REV.* TIMOTHY IV *?*,i

28 March, 2008

APP 0 2008

RE: P.N. 257/05 — 26893

Most Reverend Timothy M. Dolan  
Archbishop of Milwaukee  
3501 South Lake Drive  
P.O. Box 070912  
Milwaukee, WI 53207-0912

Your Excellency:

I am the advocate whom **Reverend John C. Wagner** mandated to represent him in the canonical proceedings against him. I am again sending you a copy of his mandate and my acceptance.

Father Wagner sent me a copy of the letter you sent him on 17 March, 2008, informing him that the Holy See had mandated an administrative penal process be conducted in accordance with c. 1720, and inviting him to request voluntary laicization before the process begins.

I have spoken with Father Wagner about his situation and the options that are available to him. While he acknowledges and accepts that he will never minister publicly as a priest again, he nonetheless is not inclined to ask to be dispensed from the obligations of the clerical state unless the Archdiocese of Milwaukee could provide some assistance and guarantees for his future. I believe his concerns are just.

Father Wagner is now two years away from being able to apply for Social Security. He has exhausted his savings during the eleven years the Archdiocese of Milwaukee not only did not pay him but intervened in the jobs he was able to obtain. While he is certainly grateful to the Archdiocese for paying him over the last few years, he still has not been able to save enough money to sustain him through to retirement.

There is also a larger issue here, Your Excellency, which I find particularly disturbing. [REDACTED]

[REDACTED]

It was out of this milieu that Father Wagner entered the priesthood. I know there were many other men who came through the same seminary system and did not act out sexually, but I also believe that for Father Wagner, [REDACTED], his experiences in the seminary exacerbated the situation.

It seems to me that the Archdiocese of Milwaukee bears some responsibility for that. I do not believe the offer of \$10,000 at the time of petition for laicization and \$10,000 at the time of dispensation is sufficient. It certainly would not carry Father Wagner through the two years until his retirement. However, should a more equitable arrangement be able to be worked out, one that would give Father Wagner some financial security for a two year period of time, I believe he would voluntarily petition for a dispensation from the obligations of the clerical state.

Should this not be possible, I will assist Father Wagner in preparing his defense. Although I have not seen any of the charges against him, a 1993 letter from Archbishop Weakland to the diocesan attorney indicates that there are four accusations of sexual misconduct with a minor. It is not clear from the letter whether these minors were under the age of sixteen, as the *ius vigens* required for incurring a penalty. I'm sure this matter will become clear once I am given access to the file.

If you wish to discuss this matter, please feel free to contact me. May these days of Easter be blessed for you and those you serve.

Sincerely yours in the Risen Lord,



(Rev.) Patrick R. Lagges  
Advocate for Father John Wagner

cc: Rev. John C. Wagner

**ADOM040079**