

February 12, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

In accord with the *Charter for the Protection of Children and Youth* and *The Essential Norms* which are in effect in the United States, I am referring several cases for your consideration. I take very seriously the problem of sexual abuse of minors by clergy and the ensuing public outcry over past inaction by church officials. The demand for justice is one that receives a favorable hearing from me.


However, I also believe firmly that some situations call for justice tempered by mercy. I have reviewed carefully all of cases of alleged sexual abuse of minors by clergy. We are in the methodical process of preparing all such cases for referral to the Congregation. In the course of that review, I have come to the conclusion that some clerics, even though we are convinced about the substance of the allegations and even though, in some cases, the cleric has confessed, should not be imposed with canonical penalties.

I am sending in this mailing the cases of those priests whose life situations are such that a canonical penal trial or an administrative dismissal would be unreasonable. They are either of such advanced age or fragile health that such actions could be tantamount to a death sentence. Therefore, in each case I am asking that the priest be permitted to live out whatever may remain of his life in prayer and penance. The elements of such a life will be designed along the protocols presently being prepared by the Conference of Bishops. In all cases, there would be no public ministry permitted and the priest would not present himself publicly as a priest by title or attire.

Thank you for your consideration of these requests. Should Your Eminence determine that an alternate action be taken, I stand ready to accede to your wishes.

With sentiments of esteem, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM039323

ARCHDIOCESE OF MILWAUKEE

NAME: Reverend Raymond Joseph Adamsky
 DATE OF BIRTH: July 27, 1931
 AGE: 72
 PRESBYTERAL ORDINATION: May 31, 1958
 YEARS OF MINISTRY: 35 years
 DIOCESE OF INCARDINATION: Milwaukee
 ADDRESS: 3253 S. Lake Drive, St. Francis, Wisconsin 53235

ASSIGNMENTS:

YEAR	PARISH	LOCATION	APPOINTMENT
1958-1961	Blessed Sacrament	Milwaukee, WI	Assistant Pastor
1961-1964	St. Joseph	Grafton, WI	Assistant Pastor
1964-1969	St. John	South Milwaukee	Assistant Pastor
1969-1971	St. Mary	Fond du Lac, WI	Associate Pastor
1971-1973	St. Philip Neri	Milwaukee	Associate Pastor
1973-1974	St. Leonard	Muskego, WI	Associate Pastor
1974-1975	St. Casimir	Milwaukee	Associate Pastor
1975-1978	St. Vincent de Paul	Milwaukee	Associate Pastor
1978-1981	St. Stanislaus	Milwaukee	Associate Pastor
1981-1986	St. Kilian	St. Kilian, WI	Pastor
1986-1992	St. Joseph	Racine, WI	Associate Pastor
1992-1993	St. Monica Nursing Home	Racine, WI	Chaplain
August 31, 1993	Disability Retirement		

ACCUSATION AGAINST THE CLERIC

YEAR	VICTIM'S AGE	IMPUTABLE ACTS	DENUNCIATION
1983	[REDACTED] 10	Inappropriate and forced kissing, embracing, attempted fondling done repeatedly	1983
1983	[REDACTED] 12	Repeatedly engaged in forced kissing, embracing; sexually explicit "gift" of underwear	1983
1964	[REDACTED] 10	Forced kissing and fondling of breast on several occasions	1994
1964	[REDACTED] 13	Not specified	1993
1965	[REDACTED] 12	Forced kissing and fondling	2004
1971	[REDACTED] 12	Forced kissing and fondling of breast four times	1995
1961	[REDACTED] 10	In confessional told to insert finger in vagina as penance	2002

CIVIL PROCEEDINGS AGAINST THE CLERIC

The Milwaukee District Attorney reviewed the files and determined that all cases were beyond the statute of limitations.

Civil settlements were reached with two of the victims in the amounts of \$20,000 and \$50,000.

MEASURES ADOPTED BY THE DIOCESE

YEAR	ACTION TAKEN
1961	Parents reported to Chancellor who met with them and then arranged for a transfer to another parish for cleric
1983	Parents reported to Vicar for Clergy; cleric referred for counseling and associate pastor informed to monitor activities; cleric sent for evaluation and reassigned; cleric says his actions misinterpreted
1989	Cleric confronted and he declares he does not remember; placed under restricted ministry; sent for counseling
1992	Cleric transferred to non-parochial ministry with restrictions on contact with minors; moved to supervised housing
1993	Cleric retired and moved to retired priests' residence
1995	Restrictions on ministry formulated into canonical precept
2004	Cased referred to Congregation for the Doctrine of the Faith

SUSTENANCE PROVIDED TO THE CLERIC

Father is fully vested in the priests' pension plan and receives the same monthly payment as any other retired priest. He resides in diocesan sponsored housing with reduced room and board.

RESPONSE / RECOURSE MADE BY THE CLERIC

Father admitted the events from 1983 but said they were misconstrued. All other allegations he claims lack of memory even though none of the accusers know one another and all sequence of dates match up not only with the place of assignment but also with transfers that are not explained in the files.

BISHOP'S VOTUM

The pattern of the allegations has an internal consistency. All of the dates and places are verified in the records. The accusers have no knowledge of or contact with one another. Father admits to one incident but dismisses its seriousness. He claims lack of memory for all others. These cases have been given no public notoriety and there has been no scandal. Despite the evidence of probable guilt, I am asking that Father Adamsky not be subjected to a penal trial. His health has deteriorated significantly in recent years. He has agreed not to appear in public wearing priestly attire and to live with the restrictions contained in the precept, namely that he have no contact with minors and no public ministry. He is permitted to say private Mass only and his confessional faculties have been revoked.

I ask that Father Adamsky, for reasons of advanced age and poor health, be permitted to live a life of prayer and penance the details of which will be worked on with him.



February 12, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

In accord with the *Charter for the Protection of Children and Youth* and *The Essential Norms* which are in effect in the United States, I am referring several cases for your consideration. I take very seriously the problem of sexual abuse of minors by clergy and the ensuing public outcry over past inaction by church officials. The demand for justice is one that receives a favorable hearing from me.


However, I also believe firmly that some situations call for justice tempered by mercy. I have reviewed carefully all of cases of alleged sexual abuse of minors by clergy. We are in the methodical process of preparing all such cases for referral to the Congregation. In the course of that review, I have come to the conclusion that some clerics, even though we are convinced about the substance of the allegations and even though, in some cases, the cleric has confessed, should not be imposed with canonical penalties.

I am sending in this mailing the cases of those priests whose life situations are such that a canonical penal trial or an administrative dismissal would be unreasonable. They are either of such advanced age or fragile health that such actions could be tantamount to a death sentence. Therefore, in each case I am asking that the priest be permitted to live out whatever may remain of his life in prayer and penance. The elements of such a life will be designed along the protocols presently being prepared by the Conference of Bishops. In all cases, there would be no public ministry permitted and the priest would not present himself publicly as a priest by title or attire.

Thank you for your consideration of these requests. Should Your Eminence determine that an alternate action be taken, I stand ready to accede to your wishes.

With sentiments of esteem, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM039323

ARCHDIOCESE OF MILWAUKEE

NAME: James William Beck
 DATE OF BIRTH: October 10, 1943
 AGE: 60
 DATE OF ORDINATION: May 24, 1969
 YEARS OF MINISTRY: 21
 DIOCESE OF INCARDINATION: Milwaukee
 CONTACT ADDRESS: [REDACTED] Greenfield, WI 53220
 PROCURATOR (1992-1995): Reverend Daniel Ward, O.S.B.

ASSIGNMENTS:

YEAR	PARISH	LOCATION	APPOINTMENT
1969-1977	Holy Name	Sheboygan, WI	Associate Pastor
1977-1978	St. Robert	Milwaukee, WI	Associate Pastor
1978-1984	St. James	Mequon, WI	Associate Pastor
1984-1989	St. Catherine	Milwaukee, WI	Pastor
1989-1990	Tribunal	Milwaukee, WI	Staff
1991-1993	Tribunal	Milwaukee, WI	Staff
1993-1995	Unassigned		
1995	Permanent Leave		

ACCUSATIONS

YEAR	VICTIM	AGE	IMPUTABLE ACTS	DENUNCIATION
1971	[REDACTED]	Unknown	Not specified	1988 (Admission)
1982	[REDACTED]	12	Genital fondling on multiple occasions	1988
1988	[REDACTED]	Adult	Obscene phone call	1988

CIVIL PROCEEDINGS AGAINST THE CLERIC

YEAR	TYPE / CASE	CONVICTION	SENTENCE
1971	Criminal investigation	Yes	Probation
1988	Criminal investigation	Plea bargain	Counseling / restrictions
1988	Civil	Settlement	
1990	Civil	Settlement	

MEASURES ADOPTED BY DIOCESE

YEAR	ACTION
1988	In the course of confronting the allegation of a 1982 incident, Father admitted the previous 1971 incident without providing any more details than that he was in mandatory counseling and had been on probation. Ordered to have no unsupervised contact with minors.
1988	Asked to resign from pastorate. Professional evaluation conducted with potential for non-parochial assignment.

1990	Placed on administrative leave for eight months with commencement of civil suit
1992	Review of case file results in request that cleric no longer function in any ministerial capacity.
1992-1995	Negotiations with canonical counsel to resolve the issue, resulting in a legal contract binding cleric not to exercise any ministry, not to present as a cleric, and to pursue alternate career options. Assistance in career re-training provided by the diocese.
2004	Case referred to the Congregation for the Doctrine of the Faith

SUSTENANCE PROVIDED:

Cleric was provided full salary until the time of administrative leave when reductions in accord with diocesan policy were made. During that eight-month period of leave, he received \$1,074 a month with deductions for insurance and pension contributions (\$389). He was allotted \$300 a month room and board. Upon resumption of his position salary and benefits were provided in full. During the time of negotiations, full salary and benefits were provided along with payment for career counseling. He was provided with a lump sum of \$25,000 as assistance in transition to a new way of life. Because he participated in a self-contributory pensions plan and was vested, he retained full rights to his pension.

RESPONSE / RECOURSE MADE BY THE CLERIC

YEAR	ACTION
1988	Admitted to 1982 abuse and informed diocesan officials for the first time of the 1971 case.
1990	Accepted non-parochial assignment
1992-1995	Cooperated with plans for "outplacement" with advice of canonical counsel to negotiate a just assistance in transition.

BISHOP'S VOTUM

Father Beck admitted the two incidents involving minors (1971 and 1982). He has not functioned in any ministerial capacity for almost 10 years. He has cooperated with all of the provisions of his contract. In recent years he has developed a variety of health problems from heart disease to recurrence of complications from childhood polio and possible multiple sclerosis. Given his full cooperation, his departure from any form of ministry for almost 10 years and his precarious health, I ask that, for reasons of advanced age and poor health, he be permitted to live a life of prayer and penance the details of which will be worked on with him.

Entry for the File of [REDACTED]
By Barbara Reinke

April 25, 2002

I had an extended conversation with [REDACTED] today, who reports that therapy with Dr. [REDACTED] is going well. She remains angry that Fr. Hoepf went on to work in other parishes, and that we at the Archdiocese claim no awareness, based on our records, that he had abused her despite the police report in 1969.

BR:saz

ADOM013487

February 12, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

In accord with the *Charter for the Protection of Children and Youth* and *The Essential Norms* which are in effect in the United States, I am referring several cases for your consideration. I take very seriously the problem of sexual abuse of minors by clergy and the ensuing public outcry over past inaction by church officials. The demand for justice is one that receives a favorable hearing from me.

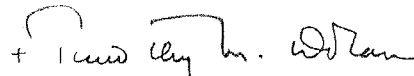
However, I also believe firmly that some situations call for justice tempered by mercy. I have reviewed carefully all of cases of alleged sexual abuse of minors by clergy. We are in the methodical process of preparing all such cases for referral to the Congregation. In the course of that review, I have come to the conclusion that some clerics, even though we are convinced about the substance of the allegations and even though, in some cases, the cleric has confessed, should not be imposed with canonical penalties.

I am sending in this mailing the cases of those priests whose life situations are such that a canonical penal trial or an administrative dismissal would be unreasonable. They are either of such advanced age or fragile health that such actions could be tantamount to a death sentence. Therefore, in each case I am asking that the priest be permitted to live out whatever may remain of his life in prayer and penance. The elements of such a life will be designed along the protocols presently being prepared by the Conference of Bishops. In all cases, there would be no public ministry permitted and the priest would not present himself publicly as a priest by title or attire.

Thank you for your consideration of these requests. Should Your Eminence determine that an alternate action be taken, I stand ready to accede to your wishes.

With sentiments of esteem, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM039323

ARCHDIOCESE OF MILWAUKEE

NAME: Reverend George Stephen Hopf

DATE OF BIRTH: May 19, 1924

AGE: 79

PRESBYTERAL ORDINATION: May 28, 1949

YEARS OF MINISTRY: 24 years

DIOCESE OF INCARDINATION: Milwaukee

ADDRESS: [REDACTED] Palatine, IL 60067

ASSIGNMENTS:

YEAR	PARISH	LOCATION	APPOINTMENT
1949-1954	St. Joseph Parish	Milwaukee	Assistant Pastor
1954-1962	St. John Nepomuc Parish	Milwaukee	Assistant Pastor
1962-1966	St. Mary Parish	Waukesha, WI	Assistant Pastor
1966-1968	Immaculate Heart of Mary	West Allis, WI	Assistant Pastor
1968-1969	Holy Rosary Parish	Milwaukee, WI	Pastor
1969-1971	St. John Baptist Parish	Woodhull, WI	Administrator
1971-1975	St. Peter Claver Parish	Sheboygan, WI	Pastor
1975-1976	Sick Leave		
1976	Resignation		
1976	Retirement		

ACCUSATION AGAINST THE CLERIC

YEAR	VICTIM	AGE	IMPUTABLE ACTS	DENUNCIATION
1969	[REDACTED]	12	Vaginal penetration with finger; fondling; forced masturbation	2002
1963-69	[REDACTED]	3-6	Not specified	2002

CIVIL PROCEEDINGS AGAINST THE CLERIC

The 1969 incident was supposedly reported to the police by the parents. There are no police records still intact. The statute of limitations has expired in both cases.

MEASURES ADOPTED BY THE DIOCESE

YEAR	ACTION TAKEN
2002	Files studied for any indication of prior knowledge or reports. None found. Priest not able to be confronted due to total disability.
2004	Cased referred to Congregation for the Doctrine of the Faith

SUSTENANCE PROVIDED TO THE CLERIC

Father is fully vested in the priests' pension plan and receives the same monthly payment as any other retired priest. He is cared for in a Catholic nursing home.

ADOM039329

RESPONSE / RECOURSE MADE BY THE CLERIC
None, he is totally incapacitated due to a severe stroke.

BISHOP'S VOTUM

The pattern of the allegations has an internal consistency. All of the dates and places are verified in the records. The accusers have no knowledge of or contact with one another. These cases have been given no public notoriety and there has been no scandal. Because of his inability to mount any defense, I am asking that he not be subjected to a penal trial. He does not appear in public and is capable of no ministry.

I ask that Father Hopf, for reasons of advanced age and poor health, be permitted to live a life of prayer and penance the details of which will be worked on with him to the best of his ability to understand the situation.

ADOM039330


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

September 27, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

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 Jerome Lanser has been accused of multiple acts of sexual abuse of minors. The summary of these allegations is enclosed. Father Lanser has admitted that a number of acts of sexual misconduct occurred but denies that any of the individuals were minors at the time.

Over the years, efforts were made to provide spiritual and psychological interventions that would rehabilitate Father Lanser. None of these efforts have been successful as he reoffended after each intervention, often while still in therapy. Father Lanser was considered such a risk that he was placed on drug therapy to control his impulses. He failed to observe that treatment plan and reoffended. It was thought that a non-parochial assignment might be possible. Even in that setting, he made sexual advances against an employee of the nursing home who was barely over the age of majority. With our current understanding of the nature of his condition, it is clear that he will never be able to assume any public ministry.

The pattern of his behavior as described is consistent with someone who is unable to control his sexual impulses. He displayed a particular penchant for young African American males. One of the victims who has reported the abuse is [REDACTED] who have reported similar abuse to him. A former associate pastor has reported on the steady stream of young African American males who were observed coming to the rectory late at night and leaving early in the morning. It is unclear if these young men were minors. Father Lanser has been arrested on charges of driving under the influence of alcohol several times but has never been convicted.

The impact on his various victims has been significant. 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.

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 Jerome E. Lanser be dismissed *ex officio* from the clerical state. He is drawing from his pension fund and that will continue.

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith

page 2

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. Furthermore, if it is your judgement that this case should proceed through a canonical penal process, I humbly request a dispensation from prescription as well as a sanation of any procedural errors that may have occurred during the years this case was under investigation. 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, I am,

Sincerely yours in Christ,

A handwritten signature in black ink, reading "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

ADOM017286


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

April 7, 2005
Year of the Eucharist
Sede Vacante

Reverend Jerome E. Lanser
[REDACTED]
Milwaukee, WI 53222

Dear Father Lanser,

You raised some important questions in your recent letter to me. I am surprised at some of them since the records of the various Vicars for Clergy indicate that you have been informed of the concerns raised about your actions. However, I will summarize how substantiation of claims is reached.

Both in your letter and in your recent conversations with Father Curt Frederick and Deacon David Zimprich, you seem to focus on two points: first you talk about only one allegation and, second, you refer to the lack of a conviction in the civil court system. As you have been informed, we are not dealing with a single allegation but with multiple incidents. You are also aware that the one case that did find its way into the court system was a civil, not a criminal case. It was not dismissed on the facts of the case but rather on the statute of limitations.

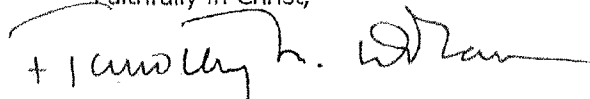
When we examine allegations, substantiation is arrived at when the dates and places reflect a person's assignment history, when there is an internal consistency among multiple reports, and when those reporting are deemed credible. In your own case, surely you have not forgotten earlier interventions about these concerns which even led to institutional and pharmaceutical efforts.

Ultimately any determination in your case will come from the Congregation for the Doctrine of the Faith. The matter rests in their hands at this time. In the interim, you are to continue observing the provisions of the precept previously issued. I understand from reports received that you have not always been meticulously observant of those provisions. I also expect you to follow the protocols reviewed by Deacon Zimprich.

If you would like to visit personally, please call Father Jerry Herda at (414) 769-3496 to arrange an appointment.

With prayerful good wishes, I am,

Faithfully in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Ufficio

7 July 2006

PROT. N. 446/04-22747
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Your Excellency,

I write regarding the case of the **Reverend Jerome E. LANSER**, a priest of your Archdiocese who has been 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, especially Your Excellency's *votum*, it was noted that the alleged delicts are bound by prescription and that the said priest, while admitting that the acts of sexual misconduct occurred, denies that any of the alleged victim was a minor at the time. For these reasons the Congregation has decided that it would be more appropriate to proceed by way of an administrative penal process in this case. Consequently, this Dicastery grants a derogation from the law of prescription and authorizes Your Excellency to initiate an administrative penal process as outlined in can. 1720 of the *Code of Canon Law*. 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 is 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*).

./.

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

ADOM043441

However, before proceeding with the above-mentioned penal process, Your Excellency should approach the cleric in order to ascertain his position regarding submitting a voluntary petition for a dispensation from the obligations of Sacred Orders including celibacy.

Alternatively, since Rev. Lanser is currently experiencing serious health problems and considering also his advanced age, this Dicastery does not exclude the solution outlined in n. 8 b of the *Essential Norms*. Your Excellency is authorized in this case, if you should judge it appropriate, to apply such *Norms* and direct the cleric to live a life of prayer and penance with the possibility of celebrating Mass privately. That disciplinary measures should be reinforced by penal precept.

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', with a small asterisk to the left.

✱ Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

ADOM043442

November 16, 2006



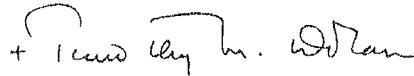
Dear Jerome,

As you are aware, I was recently advised by the Congregation for the Doctrine of the Faith that I could proceed with an administrative penal process to resolve the allegations against you. Having received a report from your doctor about your fragile physical health and having received a petition from you with supportive documentation from your canonical advisor, I took the matter to my advisors.

Provided you continue to abide by the stringent restrictions that have been placed upon you, namely that you do not exercise any public ministry and do not present yourself in public as a cleric by either attire or title, I would allow you to live out the rest of your life in prayer and penance. You will continue to remain in contact with Deacon David Zimprich to ensure that these restrictions are being observed. Any indication that they are not would then result in initiating a formal process against you.

Despite everything else, I do pray for your health and well being. I hope you are able to incorporate your current physical suffering into the prayer and penance that must be an integral part of your life.

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

cc: 

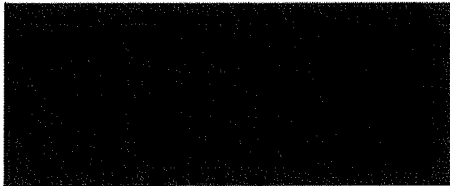
ADOM043438



CONGREGATIO
PRO CLERICIS

Vatican City, 7 May 2011

Prot. No. 20111247



Dear Father Lanser,

This Congregation writes in regard to your hierarchical recourse concerning the decision to terminate the payment of your insurance premiums.

The Dicastery herewith attaches its Decree in the matter.

With assurances of prayers and cordial best wishes, I remain,

Sincerely yours in Christ,

✠ Celso Morgia Iruzubieta
Titular Archbishop of Alba marittima
Secretary

1 Enclosure



COPY

CONGREGATIO PRO CLERICIS

DECREE

Prot. No. 20111247

1. Whereas the Rev. Jerome Lanser remains a cleric incardinated in the Archdiocese of Milwaukee;
2. Whereas by letter of 31 August 2010 of the Vicar General of the Archdiocese of Milwaukee, the Rev. Lanser was informed of the decision of the Ordinary to terminate the payment of his insurance premiums for Medicare Advantage, Dental and Vision Coverage and the benefit of the Health Reimbursement Account, effective 1 October 2010;
3. Whereas on 21 September 2010 the Rev. Lanser presented a *remonstratio* to the Ordinary, asking that the decision to terminate this assistance be revoked;
4. Whereas on 22 October 2010, through his lawfully mandated canonical Procurator, J. Michael Ritty, the Rev. Lanser presented hierarchical recourse to the Congregation for the Clergy;
5. Whereas the stated object of this recourse was that the Congregation “rescind the decision of Bishop Listecki [sic], and direct Bishop Listecki [sic] to continue to provide the payment of insurance premiums for Medicare Advantage, Dental and Vision coverage and the benefit of the Health Reimbursement Account”;
6. Whereas the universal law of the Church indicates that suitable provision is to be made for the social welfare of clerics, such as they may need in infirmity, sickness, or old age (c. 281 §2);
7. Whereas an Ordinary is free to determine the most suitable means available in order to meet the obligations of c. 281 §2;
8. Whereas the Ordinary, judging it opportune to meet the obligations of this canon through a variety of means while taking into account the differing situations of individual clerics, has decided to fulfill the obligations of c. 281 §2 in respect to the Rev. Lanser through other avenues, including the obtaining of governmental and other forms of charitable assistance;
9. Whereas it is the judgment of the Ordinary that the Rev. Lester is not thereby “being left destitute or incapable of meeting his health care and living needs”, and the Ordinary has furthermore assured the Congregation of his continued vigilance that the obligations of c. 281 §2 will continue to be met with respect to the Rev. Jerome Lanser;

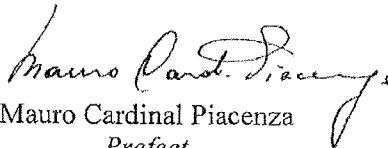
THEREFORE:

This Dicastery decrees

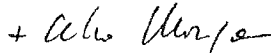
that the Hierarchical Recourse as presented against the decision of the Ordinary of the Archdiocese of Milwaukee, U.S.A., to discontinue payment of insurance premiums for Medicare Advantage, Dental and Vision coverage, and the benefit of the Health Reimbursement Account, is hereby rejected both *in procedendo* and *in decernendo* as lacking basis in law and in fact.

Recourse against this Decree made be made to the Supreme Tribunal of the Apostolic Signatura in accord with the norm of law.

Given at the Seat of the
Congregation for the Clergy
7 May 2011


Mauro Cardinal Piacenza
Prefect



+ 
Mons. Celso Morgia Iruzubieta
Titular Archbishop Elect of Alba Marittima
Secretary


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

September 7, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

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 Thomas A. Trepanier has been accused of multiple acts of sexual abuse of a minor. The summary of these allegations is enclosed. Father Trepanier has admitted that sexual acts with the individual making the allegation did take place but he contests the frequency and nature of the acts as well as the age of the accuser.

As we have reviewed Father Trepanier's file and the statements of both the accuser and his family members, it is clear that he consistently abused his office both to gain access to this vulnerable boy and to elicit the trust of his parents. He was a frequent visitor to the family home and was considered part of their family and holiday celebrations. The young man was suffering from physical problems at the time the two met.

Family members have provided second hand accounts of additional, suspected victims. At the time of this writing these alleged victims have not approached the Archdiocese. However, one victim is sufficient that action needs to be taken.

The impact on this victim has been significant. The Archdiocese of Milwaukee paid therapy costs for a number of years. Recently the Archdiocese finally arrived at an out of court settlement in this case which included a provision for ongoing therapy as well as financial compensation. 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.

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.

I am requesting that the Archdiocese of Milwaukee be authorized to conduct a penal trial to determine the facts that Father Trepanier disputes as well as to determine what, if any, penal remedy should be assessed. If it is your judgement that this case should proceed through a canonical penal process, I humbly request a dispensation from prescription as well as a sanation of any procedural errors that may have occurred during the years this case was under investigation. The severity of the offenses is such that it is my opinion that this request is justified. However, 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.

3501 South Lake Drive, P.O. Box 070912, Milwaukee, WI 53207-0912
PHONE: (414)769-3497 • WEB SITE: www.archmil.org

ADOM016155

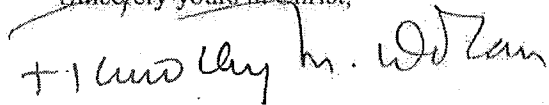
His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
p-2

At the time he resigned from active ministry Reverend Trepanier was provided with \$20,000 to assist with transition. He is capable of gainful employment and remains eligible for his pension benefits when he reaches age 68.

I look forward to your further instructions in this matter.

With sentiments of deepest esteem, 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 'D'.

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM016156

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ADOM046680



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

6 October 2005

PROF. N. 406/04-19047

(In responsione fiat mentio huius summi)

CONFIDENTIAL

Your Excellency,

The Congregation for the Doctrine of the Faith has received the documentation you sent regarding the **Reverend Thomas A. TREPANIER**, a priest of your Archdiocese accused of the sexual abuse of minors.

After having carefully examined the present case, I wish to inform you that this Dicastery hereby grants a derogation from the law of prescription requested by Your Excellency and authorizes you to initiate an administrative penal process as outlined in can. 1720 of the *Code of Canon Law*. Your Excellency is kindly requested to:

- 1) inform the accused of the allegations and the proofs, while affording him the opportunity, through his canonical advocate, of a proper defense;
- 2) accurately evaluate all the proofs and the evidence employing the assistance of two assessors who are competent and renowned for their prudence;
- 3) if the delict can be proved with certainty, issue a decree according to cann. 1342-1350, which should contain the reasons in law and in fact.

If Your Excellency should consider it opportune to impose the penalty of dismissal from the clerical state or some other perpetual penalty, the imposition of this penalty must first be requested from this Congregation. In the event of a decree being issued by this Dicastery *in Congressu Particulari*, the accused will always have the right to present recourse to the Ordinary Session of the Cardinal and Bishop Members of this Dicastery (*Feria IV*).

./.
.....

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

ADOM016123

I wish also to inform Your Excellency that this Congregation suggests another solution by authorizing you to apply n. 8 b of the *Essential Norms*. The cleric should be directed to live a life of prayer and penance with the possibility of celebrating Mass privately.

I take this opportunity to offer Your Excellency my sincere respect and I remain,

Yours devotedly in the Lord,

* 

* Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

ADOM016124

May 15, 2006

His Excellency
The Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith
00120 Citta del Vaticano
Palazzo del S. Uffizio

Your Excellency,

In accord with the instructions provided in your letter of October 6, 2005, I have proceeded with an administrative penal process in the case of the Reverend Thomas Trepanier. I first gave him another opportunity to seek voluntary laicization but, again, he refused that option. As has been his consistent stance, he shows no remorse and his primary concern is self-focused on how much financial support he will receive.

On April 11, 2006, I met with two appointed assessors, both of whom are respected priests of the Archdiocese, noted for their prudence, and both of whom have served on the College of Consultors. They had previously studied the *Acta* assembled in the case. The brief of defense was also reviewed by the two assessors and is included in the enclosed *Acta*.

In the serious and prolonged discussion of the matter, there was complete harmony in arriving at the unanimous agreement that the delicts had indeed occurred. In fact, the defense brief did not offer any argument that the acts had not been committed. Therefore, it is my finding that the delicts are proven with certainty.

The discussion with the assessors on the penalty to be imposed was also thorough. Various options were studied. The options considered included the following:

- Removal from any public ministry or public presentation as a priest but retention of the clerical state and accompanying permission for private celebration of Mass
- Allow early retirement with limited and monitored ministry
- Impose a life of prayer and penance
- Dismissal from the clerical state.

Concerns about the various options were discussed. One major concern shared by all is the fact that we have no assurance that there will not be ongoing liability for the Church if Father Trepanier is permitted to continue in any kind of ministry or remain in the clerical state.

Prot. No. 137/03 - 19050

P. 2

His Excellency, The Most Reverend Angelo Amato, SDB

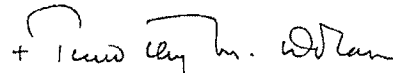
Early retirement would not be an option because the Archdiocese of Milwaukee would then be bound to continue paying his support until he reaches the age allowed by the pension plan. Civil law governs the plan and it does not allow exceptions for early retirement except for serious health conditions. This high expense would be difficult to justify at a time we are cutting back pastoral services and laying people off because of financial constraints. We have no facilities which would be available for a life of prayer and penance and his previous foray into living as a religious was not successful. The only defense offered by the canonical advocate dealt with a procedural issue that is not applicable in canon law and a challenge to the exact month and age of the victim.

I have pondered this matter long and hard over these many months, weighing in the balance, first, my deep respect and love for the priesthood which informs my understanding of why an individual would want to cling to his clerical state and, secondly, arising from that same respect and love, an awareness that there is no place in ministry for someone who has abused a child. It is true that no additional victims have come forward but the one who has is credible and convincing. He came forward at a time when there was not potential for personal or financial gain.

Therefore, I have arrived at the conclusion that Father Thomas Trepanier should be dismissed from the clerical state. I am requesting that the Congregation for the Doctrine of the Faith issue a decree to that effect. Because this matter has been protracted over such a long time, I am hoping that its conclusion will be forthcoming soon.

With gratitude for your consideration, sentiments of esteem, and prayerful best wishes, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM046682

January 15, 2008

Prot. No. CDF 406-04 -- 19047

Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith
00120 Citta del Vaticano
Palazzo del S. Ufficio

Your Excellency,

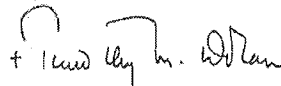
With regard to the above-captioned case, I have pondered long and hard about your suggestion that we impose a ten-year precept on Reverend Thomas Trepanier and then consider his return to ministry. I respectfully submit that such a resolution is not tenable. Ten years will not eradicate the facts in this matter; Father Trepanier sexually abused a minor and can never, therefore, function as a priest again. There is no such thing as a "safe" ministry when his background is publicly known by his own admissions.

I respectfully implore you to reconsider and confirm the results of the administrative process that was conducted here and grant the administrative laicization. This was a decision reached only after serious deliberation with some of my most trusted canonical consultants. There is currently pending civil legislation in Wisconsin attempting to abolish the statute of limitations on sexual assault retroactively. Such legislation would seriously compromise the Archdiocese's ability to exercise its mission. The more we can demonstrate our seriousness about purifying the priesthood as the Holy Father has implored us to do, the more we can speak credibly about the adverse effects of such legislation. Our critics challenge us on the fact that known abusers have still not been laicized. If word got out that the Holy See had left the door open for a reconsideration of Father Trepanier's case in ten years, our credibility would be seriously damaged.

Thank you for your reconsideration of this case.

With sentiments of esteem, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM046674

NOV 17 2008

Very Rev. Curt Frederick

Vicar for Clergy

3501 S. Lake Drive

Milwaukee, WI 53207

November 9, 2008

Dedication of St. John Lateran

Dear Curt,

Peace and blessings on your ministry to our brother priests. After six and one half years of waiting for the CDF to make a decision in my Canonical case and at the request of my spiritual director, I write to ask you for a written description of my current position as a validly ordained priest within the Archdiocese of Milwaukee. In October of 2002, I met with Archbishop Dolan. During the 30 minute lunch at his residence he told me, "Tom, I read your case and your victim sounds like a requited gay lover!"

It is difficult to comprehend the circumstances that have occurred since that lunch and the way in which his decisions have affected me spiritually, emotionally, physically and financially and how those decisions have also jeopardized the health and welfare of my elderly parents and my invalid brother as well as given the faith communities I served the impression that in fact, I am a serial pedophile, the reality of which you and everyone connected with my case knows is not true.

As you are aware, when the allegation from some 18 prior years was brought against me in December 1998, Archbishop Weakland conducted an investigation which included Bishop Sklba, Very Rev. W. Kohler, Dr. [REDACTED] and a myriad of psychiatrists and psychologists who conducted various interviews and in-depth interrogations. At the conclusion of the 2 year investigation, I received a letter from the then Vicar for Clergy, Very Rev. Joseph Hornacek informing me that I had completed the necessary requirements of the investigation and found to be a priest in good standing in the Archdiocese of Milwaukee. In fact, Rev. Hornacek commended me for the cooperation and honesty with which I approached the investigation. I was then assigned to you as the associate pastor of St. Dominic Parish, Brookfield, with the necessary precautions and sufficient staff and parish members being informed of the allegation against me. I served in that position from November 2000, until May 2, 2002 at which time I resigned in the face of my name being released to the public media by the Archdiocese and the distinct impression from that release, that I too was serial pedophile. This impression was further corroborated by Jerry Topziewski, the Archdiocesan Spokesperson, when he told the Milwaukee Journal Sentinel that in fact I was requesting laicization, which was simply not true.

ADOM046690

Since that time, there are few words that can describe what these past years have been for me and my family and the serious damage this has done to my family and faith community relationships. To add to the pain of being destroyed, isolated and abandoned by the Church of Milwaukee, I was also dropped from any diocesan mailing lists driving me even further away from the Church that I faithfully served for some 27 years of ministry. It has also been brought to my attention by a credible source that certain canon lawyers created a Votum which was sent to Rome that in no way reflected the true facts of my case and even worse, exaggerated some of the fallacious details presented by the former psychologist Liz Piasecki. This I was told was done to give more credence and moral support to the case against me, which included dates and times of alleged abuse on my part, when I wasn't even assigned to the alleged parish. These abuses of my canonical rights and the double jeopardy I have been subjected to is beyond moral comprehension.

Thus, following these six and one half years of isolation, without any type of support from the faith community, let alone the ability to celebrate the Eucharist, it has become necessary to seek Canonical justice in the case brought against my by Archbishop Dolan. I believe that I have been abandoned and ignored with the sincere intent, if not the hope on the part of some, that I will simply give up my moral obligation to the priesthood and disappear into history or die, whichever comes first. Let this letter stand as testimony to the fact that I will exert every possible effort to receive the justice I have a right to under Canon Law, including petitioning His Holiness Pope Benedict with the true facts of my case. To quote a Canon Lawyer, "Canonical justice is not a privilege decided by the few, but the right to justice for every baptized Catholic. Therefore, justice delayed is justice denied."


I await your response and respectfully request that within the next two weeks, you specifically state the facts of my case in writing, to include names and dates as to why my case has not been resolved or some explanation as to my status within Canon Law and the lack of a response from the CDF.

As always, my family and I patiently await the justice, compassion and mercy promised by God through His Son, Jesus Christ. Thank you for your consideration in this matter.

Sincerely,



Tom Trepanier, M. Div., M.S. '75

Cc: file


ADOM046691



November 21, 2008

Thomas Trepanier
 [REDACTED]

Dear Tom,

Thank you for your letter of November 9, 2008. I received it on November 17, 2008 and have read and reread it. I appreciate the pain and the personal desire it expresses. I do not have answers to some of the issues that you wish addressed. I have no idea why the CDF has not responded definitively. The archbishop periodically contacts the CDF and asks for responses to all of the cases before it from our archdiocese. The last contact I am aware of was January 15, 2008.

I agree with you, Tom, that justice delayed is justice denied. It is my observation over these past few years that no one here has the push or pull to get a quick response from the CDF. I do know that the archbishop continues the conversation with the CDF regarding your case.

With regard to the facts of your case, I have obtained and am attaching two documents. The first document is what the CDF calls a "table." It is used in submitting a case before the CDF. It summarizes the facts of the case and the CV of the priest and concludes with the bishop's requests from the CDF given the aforementioned data. You may notice that Pat Lagges is noted as your advocate. I understand that the table was submitted prior to your contracting with Mr. Ritty. The second document is the archbishop's decree at the conclusion of the administrative penal process that the CDF authorized in your case. It states the findings of the administrative penal process using the facts of the case and declares the wish of the archbishop in point three, given the facts stated in the first two points.

I am confused with your mention of a "votum" created by certain canon lawyers. I don't know what you are referencing. I may be able to be of help to you if you would provide the source of the information you have or the name(s) of the author(s) of the alleged document.

I hope that this information is helpful to you, Tom. It is my belief that your canonical advocate, Mr. Ritty, has had access to the acts of the case, so I'm not certain that I am adding any new information, Tom. As always I send you my best wishes and assure you of my continuing prayers. I continue to look back fondly and appreciatively on the time we spent together at St. Dominic's and in friendship.

In the Lord Jesus,

Curt

Very Reverend Curt J. Frederick
 Vicar for Clergy

Cc: Mr. J. Michael Ritty



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

8 April 2009

Prot. N. 406/2004 - 29281
(In response fiat nomen huius numeri)

CONFIDENTIAL

Your Excellency,

The Congregation for the Doctrine of the Faith has received your correspondence of 15 January 2008 and 16 March 2009, in regard to the case of Reverend Thomas A. TREPANIER, a priest of your Archdiocese accused of the sexual abuse of a minor. Your Excellency has asked the Congregation to reconsider the decision communicated to you in our letter of 2 August 2006 (Prot.N. 406/2004 - 23872).

After a careful reconsideration of the facts in this case, the judgment of the Congregation remains *in decisis*. As communicated in our earlier correspondence, while the gravity of the cleric's behavior is manifest, this case does not involve a *delictum gravius*, because the victim was over the age of 16 at the time the immoral acts occurred. This does not lessen the culpability of Rev. Trepanier, nor your Excellency's need to seek an appropriate solution.

Therefore, the Congregation suggests that Your Excellency apply the provisions of the *Essential Norms*, n. 9, and can. 223 §2 *CIC*, prohibiting any public ministry, for an indeterminate time, rather than for a specific number of years. The law does not permit the imposition of a perpetual penalty in this case. The solution suggested protects minors, the good of the Church and the credibility of the Archdiocese in dealing with these scandalous cases of sexual abuse. At the same time, it reflects the fact that the Church must be seen as administering the law with justice and equity.

Grateful for your vigilance in these difficult matters, with prayerful support and fraternal best wishes, I remain

Yours sincerely in Christ,

✠ Luis F. LADARIA, S.J.
Titular Archbishop of Thibica
Secretary

His Excellency
Most Rev. Timothy M. DOLAN
Archdiocese of Milwaukee
3501 South Lake Drive
Milwaukee, WI 53207-0912
UNITED STATES OF AMERICA

ADOM046686

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

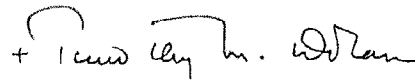
Given the nature and frequency of the alleged and admitted sexual abuse, along with the serious abuse of office, I have pondered long and hard to arrive at an opinion about the most appropriate action to be taken. In order that justice may be made manifest and healing of the victims and the Church may 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 black ink, appearing to read "Timothy M. Dolan". The signature is written in a cursive style with a small cross at the beginning.

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vatican,
Palazzo del S. Ufficio

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)

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.

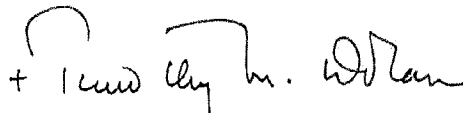
If the judgement of Your Excellency is that this case should proceed to a dismissal by decree of your Congregation, I would cede to that judgement. The severity of the offenses is such that it is my opinion that these requests are justified.

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, reading "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. Uffizio

22 February 2008

PROS. N. 257/05-26893
responsione fiat mentio huius numeri

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*).

./.

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,



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: plagg@archchicago.org



155 E. Superior St.
Chicago, Illinois 60611

Fax: (312) 751-8314

MOST REV. TIMOTHY IV J, 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

February 12, 2004

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
Piazza del S. Uffizio 11
00193 Rome, Italy

Your Eminence:

In accord with the *Charter for the Protection of Children and Youth* and *The Essential Norms* which are in effect in the United States, I am referring several cases for your consideration. I take very seriously the problem of sexual abuse of minors by clergy and the ensuing public outcry over past inaction by church officials. The demand for justice is one that receives a favorable hearing from me.


However, I also believe firmly that some situations call for justice tempered by mercy. I have reviewed carefully all of cases of alleged sexual abuse of minors by clergy. We are in the methodical process of preparing all such cases for referral to the Congregation. In the course of that review, I have come to the conclusion that some clerics, even though we are convinced about the substance of the allegations and even though, in some cases, the cleric has confessed, should not be imposed with canonical penalties.

I am sending in this mailing the cases of those priests whose life situations are such that a canonical penal trial or an administrative dismissal would be unreasonable. They are either of such advanced age or fragile health that such actions could be tantamount to a death sentence. Therefore, in each case I am asking that the priest be permitted to live out whatever may remain of his life in prayer and penance. The elements of such a life will be designed along the protocols presently being prepared by the Conference of Bishops. In all cases, there would be no public ministry permitted and the priest would not present himself publicly as a priest by title or attire.

Thank you for your consideration of these requests. Should Your Eminence determine that an alternate action be taken, I stand ready to accede to your wishes.

With sentiments of esteem, I am,

Sincerely yours in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

ADOM039323

ARCHDIOCESE OF MILWAUKEE

NAME: Reverend Raymond Joseph Adamsky
 DATE OF BIRTH: July 27, 1931
 AGE: 72
 PRESBYTERAL ORDINATION: May 31, 1958
 YEARS OF MINISTRY: 35 years
 DIOCESE OF INCARDINATION: Milwaukee
 ADDRESS: 3253 S. Lake Drive, St. Francis, Wisconsin 53235

ASSIGNMENTS:

YEAR	PARISH	LOCATION	APPOINTMENT
1958-1961	Blessed Sacrament	Milwaukee, WI	Assistant Pastor
1961-1964	St. Joseph	Grafton, WI	Assistant Pastor
1964-1969	St. John	South Milwaukee	Assistant Pastor
1969-1971	St. Mary	Fond-du-Lac, WI	Associate Pastor
1971-1973	St. Philip Neri	Milwaukee	Associate Pastor
1973-1974	St. Leonard	Muskego, WI	Associate Pastor
1974-1975	St. Casimir	Milwaukee	Associate Pastor
1975-1978	St. Vincent de Paul	Milwaukee	Associate Pastor
1978-1981	St. Stanislaus	Milwaukee	Associate Pastor
1981-1986	St. Kilian	St. Kilian, WI	Pastor
1986-1992	St. Joseph	Racine, WI	Associate Pastor
1992-1993	St. Monica Nursing Home	Racine, WI	Chaplain
August 31, 1993	Disability Retirement		

ACCUSATION AGAINST THE CLERIC

YEAR	VICTIM	AGE	IMPUTABLE ACTS	DENUNCIATION
1983	[REDACTED]	10	Inappropriate and forced kissing, embracing, attempted fondling done repeatedly	1983
1983	[REDACTED]	12	Repeatedly engaged in forced kissing, embracing; sexually explicit "gift" of underwear	1983
1964	[REDACTED]	10	Forced kissing and fondling of breast on several occasions	1994
1964	[REDACTED]	13	Not specified	1993
1965	[REDACTED]	12	Forced kissing and fondling	2004
1971	[REDACTED]	12	Forced kissing and fondling of breast four times	1995
1961	[REDACTED]	10	In confessional told to insert finger in vagina as penance	2002

CIVIL PROCEEDINGS AGAINST THE CLERIC

The Milwaukee District Attorney reviewed the files and determined that all cases were beyond the statute of limitations.

Civil settlements were reached with two of the victims in the amounts of \$20,000 and \$50,000.

MEASURES ADOPTED BY THE DIOCESE

YEAR	ACTION TAKEN
1961	Parents reported to Chancellor who met with them and then arranged for a transfer to another parish for cleric
1983	Parents reported to Vicar for Clergy; cleric referred for counseling and associate pastor informed to monitor activities; cleric sent for evaluation and reassigned; cleric says his actions misinterpreted
1989	Cleric confronted and he declares he does not remember; placed under restricted ministry; sent for counseling
1992	Cleric transferred to non-parochial ministry with restrictions on contact with minors; moved to supervised housing
1993	Cleric retired and moved to retired priests' residence
1995	Restrictions on ministry formulated into canonical precept
2004	Cased referred to Congregation for the Doctrine of the Faith

SUSTENANCE PROVIDED TO THE CLERIC

Father is fully vested in the priests' pension plan and receives the same monthly payment as any other retired priest. He resides in diocesan sponsored housing with reduced room and board.

RESPONSE / RECOURSE MADE BY THE CLERIC

Father admitted the events from 1983 but said they were misconstrued. All other allegations he claims lack of memory even though none of the accusers know one another and all sequence of dates match up not only with the place of assignment but also with transfers that are not explained in the files.

BISHOP'S VOTUM

The pattern of the allegations has an internal consistency. All of the dates and places are verified in the records. The accusers have no knowledge of or contact with one another. Father admits to one incident but dismisses its seriousness. He claims lack of memory for all others. These cases have been given no public notoriety and there has been no scandal. Despite the evidence of probable guilt, I am asking that Father Adamsky not be subjected to a penal trial. His health has deteriorated significantly in recent years. He has agreed not to appear in public wearing priestly attire and to live with the restrictions contained in the precept, namely that he have no contact with minors and no public ministry. He is permitted to say private Mass only and his confessional faculties have been revoked.

I ask that Father Adamsky, for reasons of advanced age and poor health, be permitted to live a life of prayer and penance the details of which will be worked on with him.



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

PERSONAL DETAILS OF THE CLERIC	Date of Birth	March 6, 1945	Age	60
	Ordination	June 9, 1973	Years of ministry	20
ORIGINAL DIOCESE OF INCARDINATION		Milwaukee		
MINISTRY IN/TRANSFER TO OTHER DIOCESE		Now living, but not ministering, in Diocese of Green Bay		
CONTACT ADDRESS OF THE CLERIC		[REDACTED] Kewaunee, WI 54216		
PROCURATOR (include original signed mandate)		No mandate produced; worked with Rev. Daniel Ward, OSB in 1993-1995		
CONTACT ADDRESS OF THE PROCURATOR				

ASSIGNMENTS

Year	Parish	Location	Appointment
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

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Imputable Acts	Denunciation
1986	[REDACTED]	Unclear	Unclear from records – “sexually propositioned” but unclear if any act occurred	1986
1986	[REDACTED]	Unclear	Unclear from records – “sexually propositioned” but unclear if any act occurred	1986

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

ADOM040047


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

January 15, 2002

Reverend Charles Walter

████████████████████
Pompano Beach, FL 33069

Dear Charlie,

As I continue to adjust to my role as Archbishop, I am undertaking a review of files of priests. I note that there have been problems in your past of which you are well aware. Father Hornacek will be contacting you for a personal meeting in the near future to discuss this situation with you on my behalf. If you want to meet with me personally at some point after your conversation with Joe, I am certainly open to that possibility.

In the meantime, I understand that you are not partaking in any exercise of ministry where you are living. I need to extend that limitation to include public exercise of ministry anywhere. I would like to confirm some additional expectations, as well. You are to have no unsupervised contact with minors. Private celebration of the Eucharist with only another priest or priests in attendance is permitted but no other sacramental ministry. Given the current state of matters, I would also ask that you not wear your collar in public settings. This is for your protection as well.

I regret that my first formal correspondence with you needs to be on such a delicate and painful matter. I am sure you understand that the scope of my responsibilities in caring for the flock entrusted to me requires that I do so.

Sincerely yours in Christ,

Most Reverend Timothy M. Dolan
Archbishop of Milwaukee

3501 South Lake Drive, P.O. Box 070912, Milwaukee, WI 53207-0912
PHONE: (414)769-3497 • WEB SITE: www.archmil.org

ADOM021709


ARCHDIOCESE OF MILWAUKEE
OFFICE OF THE ARCHBISHOP

January 27, 2003

Reverend Charles Walter

[REDACTED]
Pompano Beach, FL 33069

Dear Charlie,

As I continue to adjust to my role as Archbishop, I am undertaking a review of files of priests. I note that there have been problems in your past of which you are well aware. Father Hornacek will be contacting you for a personal meeting in the near future to discuss this situation with you on my behalf. If you want to meet with me personally at some point after your conversation with Joe, I am certainly open to that possibility.

In the meantime, I understand that you are not partaking in any exercise of ministry where you are living. I need to extend that limitation to include public exercise of ministry anywhere. I would like to confirm some additional expectations, as well: You are to have no unsupervised contact with minors; Private celebration of the Eucharist with only another priest or priests in attendance is permitted, but no other sacramental ministry. Given the current state of matters, I would also ask that you not wear your collar in public settings, nor present yourself in public as a priest. This is for your protection as well.

I regret that my first formal correspondence with you needs to be on such a delicate and painful matter. I am sure you understand that the scope of my responsibilities in caring for the flock entrusted to me and for you requires that I do so.

Sincerely in Christ,



Most Reverend Timothy M. Dolan
Archbishop of Milwaukee