

bcc: Bishop Richard Sklba
Very Rev. Curt Frederick
Barbara Anne Cusack

Office of Archbishop Dolan

MAR 10 2006

Memo

To: Reverend Ron Engel
From: +Timothy M. Dolan
Date: March 7, 2006

T.M.D.

Ron:

As you asked, here is my summary of our fruitful and fraternal meeting of Friday, March 3, 2006.

1. I reported to you that the Archdiocesan Review Board had recommended to me that you not be returned to active ministry. The charges against you they find accurate and substantiated sufficiently enough to move toward a canonical proceeding. The use of a computer to view child pornography - - particularly the graphic type reported - - is a violation of the Charter. Seeking some type of ministry which has no contacts with minors is unrealistic, so that portion of the Deferred Prosecution Agreement is not applicable.
2. I reported to you that I have accepted their recommendation.
3. What now?
 - a. You could choose to petition for voluntary laicization. You indicated that you do not intend to do so.
 - b. I need to submit the case to the Congregation for the Doctrine of the Faith for their review and further instruction. I would be asking for some form of canonical process, either judicial or administrative. Your canonical advisor would be provided with an opportunity to review the documentation prior to its submission to CDF and would be afforded the opportunity to present a statement.
 - c. Usually, a request for a "life of prayer and penance" is reserved for one of advanced age or frail health. However, I would be open to a consideration in your case. You understand, as we discussed, that this would mean no public ministry, although you would preserve your priestly identity and right to celebrate Mass. You also desired some continued connection with me and the archdiocese. You mentioned a hope for

some entrance into a religious community. That initiative would be up to you, although I renew to you my pessimism about that happening. We would also have to be clear about the fact that the diocese can no longer provide the level of financial support it has been up until now.

I encouraged you to bring this to your canonical advocate, spiritual director, and your counselor, and then to work with Curt Frederick about next steps.

Thanks, Dan

September 7, 2010

Reverend Ronald Engel
[REDACTED]
Milwaukee, WI 53217-8076

Dear Ron,

I hope that you have used some of the summer to reflect on our conversation at the end of May. As we discussed, there is no possibility that you will be able to return to ministry as a result of your actions. If you remember I asked that you consider your love for the Church and seek voluntary laicization.

The generally held position that acquisition or possession of pornographic images of minors by a cleric is a serious delict has now been confirmed by the latest norms from the Vatican. The Congregation for the Doctrine of the Faith retains jurisdiction over these cases.

Therefore, I am asking that you prepare a letter requesting laicization, addressed to Pope Benedict XVI, and send it to me by September 21, 2010. I must inform you that if I do not have such a letter from you by that date, I will prepare the dossier on your case and seek involuntary laicization according to proper canonical processes from the Congregation.

In the interim, you will be hearing from Father Pat Heppe about financial matters. I am releasing you from any clerical restrictions that would impede your pursuit of secular employment and encourage you to seek such gainful employment especially to cover your health benefits. You remain under canonical precept restricting any exercise of public ministry or representation by title or garb as a priest and all faculties have been withdrawn.

Please contact Father Heppe if you have any questions about this matter.

Sincerely yours in Christ,

+ Jerome E. Listeski

Most Reverend Jerome E. Listeski
Archbishop of Milwaukee

Feast of the Exaltation of the Cross

14 September 2010

Numbers 21 + John 13 + Philippians 2

OFFICE OF THE ARCHBISHOP

SEP 21 2010

Most Reverend Jerome E. Listecki
Archbishop of Milwaukee

Dear Jerome

During this past Lent I had requested to meet with you as my bishop for a spiritual review and evaluation of my current penitential lifestyle. When in response, on May 27th, we met for the first time, I tried as transparently as possible to present you with three areas: 1.) a personal history of my priestly vocation, 2.) a contrite review of some matters surrounding my 2004 suspension, 3.) a summary of my current situation and life as a priest :

1]

Within the atmosphere of a strong faith-centered family, I had an early and life-defining experience of Jesus. This experience was especially characterized by the faithful and forgiving love of Jesus' sacrifice on the cross. Since the early 1950's and throughout my 60 years, I have experienced Jesus calling me to an ever deeper participation in his cross. My response has included a lifelong, freely embraced and faithful virginity centered within the Eucharist and within Church service.

2]

In the more recent time, related to my suspension, I had experienced a 5-year span of unprecedented transition involving the primary care of my terminally ill mother. I periodically mismanaged my stress. I engaged in the brief and sporadic viewing of inappropriate materials. I responded to these personally grieved lapses thru immediate and concerted prayer, sacramental penitence and spiritual counsel.

3]

During these last 7 years comprising my suspension, I have made an ever deeper commitment to Jesus. Through His grace, I have tried in the private forum to live a priesthood of greater integrity marked by daily Eucharistic prayer, weekly spiritual direction, penitential poverty and caring service. Because of my love for the Church, I have made every effort to maintain an active relationship with my bishop.

✠ ✠ ✠

In our May 27th meeting, you directed me (in view of the above) to prayerfully consider "voluntary laicization" as a "sacrificial act of my priesthood." This suggestion resonated with other previous "sacrificial acts" which I had embraced out of a contrite spirit and faithful love for the People of God. I am not sure that either the spiritual motive for or the prayerful character of these acts were fully understood or believed:

1]

Subsequent to the 2 years that my situation was under civil review, my attorney -- Mr. Thomas Brown, in conversation with the federal authorities, presented me with two options: 1.) a trial in which a jury defined whether or not the computer materials in question were pornographic or 2.) a 10-year deferred prosecution agreement that, in keeping with my honest understandings and sincere intentions, did not contain an personal admission of violating federal law.

In conversation with Attorney Brown, I was informed that there was a "reasonable argument" that a jury would discover that the computer materials in question were not pornographic as currently defined by federal statutes. Nevertheless, I made the difficult decision to enter into the 10-year deferred prosecution agreement. I did this because, first and foremost, I genuinely did not want to risk exposing my beloved Church and my beloved Parishioners (both past and present, younger and older) to an embarrassing media circus that would inevitably surround a trial where definitions of obscenity, pornography would be graphically debated.

2]

In person and in correspondence, I several times concertedly offered Archbishop Dolan everything that I had (the financial value of all my personal, familial and material property) asking for a *prayer-and-penitence covenant* which would involve a penitential life of service within a cloistered eucharistic community.

It was and is my love for Jesus, for His Church and His Priesthood, that motivated my above decisions and actions.

continued

Therefore, I have taken to heart your request to consider “voluntary laicization” as yet another appropriately contrite and “sacrificial act of priesthood.” Both in prayer and in conversation with my spiritual director, I have reflected long and hard on your words. I found myself prayerfully rereading the Ordination Rite. And, along with your words of May 27th, I revisited your reflections in “Love One Another” on May 18th and September 14th :

1]

On May 18th, you reflected on your own ordination, saying -- *“I remember wondering what God had in store for me. There's no way that I ever would have imagined the journey that has been my priestly life. In that manner, a priestly vocation is comparable to the vocation of marriage. When a couple pledge their life to one another, they allow the mystery of the two becoming one to create something far greater.”* On Sept. 14th, you recounted a five-year running invitation from Deacon Scott Jamieson to serve as a retreat master...an invitation that you “promised” to fulfill despite innumerable roadblocks and delays. You stated -- *“But a promise is a promise, and I knew that I needed to keep this commitment if only for reasons of personal integrity.”*

2]

Consequently, I trust that you will understand me when I say that I am unable to request voluntary laicization. The profound invitation and promise that I have experienced in Jesus throughout these 60 years, ...the profound mystery of two becoming one experienced in the sacramental vows of ordination...lead me to say - *“But a promise is a promise, and I know that I need to keep this commitment if only for reasons of personal integrity.”* However the Church ultimately believes it necessary, with regard to my person, to define its good in the public forum; nevertheless, I know that I am and I will remain a priest forever. The Priesthood of Jesus will continue to call, to challenge and to shape me for the rest of my life.

✠ ✠ ✠

Since 2004, it was explained to me by Archbishop Dolan that the Review Board discernment of 2006 was the first phase of the Church’s “spiritual” due process. Repeatedly, I was told that my case needed to go to Rome. I was informed that, subsequent to an equally full and prayerful review by both the Archbishop’s canonical advocate and my canonical advocate - Fr. Pat Lagges, the Holy Father needed to review my case and to make a decision.

~~With regard to the above, let me highlight my experience of the Milwaukee process by naming and describing three things: 1.) one troubling memory of April 2004, 2.) one ongoing frustration of these past 5 years, 3.) one overwhelming concern about the archdiocesan plan for October 1st.~~

1]

The day after I was first interviewed by the federal authorities, I met directly and indirectly with several groupings of Archdiocesan officials that included Archbishop Dolan, Bishop Sklba, Vicar Rev. Joe Hornacek, Vice Vicar Rev. Bill Kohler, a female resource psychologist for the Review Board, and Chancellor Barb Cusack. In a variety of conversations both with them and among themselves, they expressed not being sure if the viewing of certain inappropriate materials(whether of a lesser obscene degree or of a greater pornographic degree) constituted a violation of the Dallas Charter. They needed to have Cusack call Washington to find out.

2]

Regardless of repeated requests and assurances, my canonical advocate – Fr. Pat Lagges has yet to be given the opportunity to fully access, to critically review and to share with me the content of my Review Board file. It is my understanding that Fr. Lagges has formally protested this one characteristic of the Milwaukee process. It is my recollection of several conversations with Fr. Lagges that (in many dioceses), as soon as the Review Board makes its recommendation regarding a priest’s case, the file is usually released to both the Archbishop’s canonical advocate and the priest’s canonical advocate as a means of facilitating due process.

3]

In late 2006 – early 2007, after a brief verbal summary of the Review Board’s recommendation, Archbishop Dolan stated that my case was a difficult one because it did not involve any physical-sexual abuse of an individual. Rather, +Dolan seemed to indicate that my case involved a violation of a grayer, less defined area of the Dallas Charter, in which the viewing of certain inappropriate materials was deemed serious. Throughout several years of conversation, Archbishop Dolan seemed to maintain an understanding that my behavior, though serious and with serious consequences, was a “lesser” violation of the Charter...and open to some pastorally merciful considerations.

On September 16th, you issued a formal letter both to the diocese and to the public media, accompanied by a televised interview. You announced that on October 1st the names of 9 priests (which includes me) would be added to the Archdiocesan List of Clergy with "A Substantiated Allegation of the Sexual Abuse of a Minor." The immediate recorded response of some members of the public was outrage concerning those priests who "molest" and "rape" children.



Consequently, I am deeply disturbed by the real, potential for injurious misrepresentation of my person and my situation when my name is added to "the List." In the current parlance of the secular media, a List of those with a "substantiated allegation of the sexual abuse of minor" seems to translate into a List of "felony sex offenders" who have physically raped a child. Such an interpretation of me and of other priests whose case-situation is similar would not be accurate and could be gravely damaging. Indeed, any such misperceptions and misunderstandings of the Archdiocesan List could lead certain basic public and private agencies associated with other priests and myself to wrongly deny or to wrongly terminate access to essential services and benefits, to residency rights and employment opportunities.

In view of these concerns and my heartfelt understanding of my vocation, I sincerely believe that the further two phases of the Church's due process mentioned above should prayerfully proceed. Thank you for this opportunity to respond.


With Care, as your Brother in Jesus,


Rev. Ronald G. Engel

ronaldengel@att.net

 -Milwaukee, WI 53217-8076 

CC:


Rev. Patrick Lagges Canonical Advocate
Mr. Thomas Brown Civil Attorney

March 14, 2011

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 for your consideration the case of a priest of the Archdiocese of Milwaukee. Reverend Ronald G. Engel has been accused of possession of child pornography. The summary of these allegations is enclosed. Father Engel has accepted a deferred prosecution from the United States Department of Justice but denies or minimizes the gravity of his offense.

This case has progressed slowly for several reasons. The Archdiocese was unable to begin its own internal procedures until the Department of Justice had completed its investigation. Once a deferred prosecution agreement was reached, my predecessor, Archbishop Timothy M. Dolan, took charge of the case. He asked experts to review the question of whether possession of child pornography constituted a canonical delict. He attempted to persuade Father Engel to seek voluntary laicization. He met with him multiple times in this regard but was unsuccessful in eliciting his cooperation.

Archbishop Dolan requested that the Diocesan Review Board examine the case and make recommendations to him. They seriously deliberated this matter before them to determine

- what factual information was on hand
- whether additional information needed to be obtained and, if so, what information
- whether what is factually determined to have occurred constitute a breach under the *Charter and Norms for the Protection of Children and Youth*.

The factual information they concluded was the admission, both to the Vicar for Clergy at the time the Department of Justice first approached him and in the Deferred Prosecution Agreement, that Father Engel did have pictures of nude children on his computer. They found that his explanation that they were for art purposes was contradicted by the report from his therapist referring to "libidinal voyeuristic interests." The same report says that "he has maintained that the nature of his interest" was "artistic." The opinion of the Board was that this attempt at a defense yields to contrary facts, especially the frequency with which the sites were accessed and the titles of the sites. Logging in to sites called "all x boys," "erect x boys" and "virgin x boys" one would not conclude that these were sites for art. The Board members also were concerned that the focus was on pubescent boys, not older teens or adults. The use of a "scrubber" for his computer was also viewed as an indication that the material being downloaded was not in the category of art or he would not have worried about it.

Most Reverend Angelo Amato, SDB
Congregation for the Doctrine of the Faith – p. 2

The members of the Board noted that the Deferred Prosecution Agreement indicated that there was probable cause to believe that Engel violated federal statutes related to child pornography. Therefore, they concluded that the computer material was child pornography. They also concluded that acquisition and possession of child pornography was a violation of the *Charter*. The Board recommended that this case be deemed substantiated. They further noted that sexual exploitation of a minor does not require that the minor feel exploited or know he/she is being exploited. Having recommended that the *Charter* had been violated, there was also the recommendation that Father Engel was not suitable for ministry.

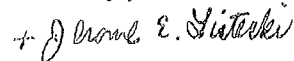
With these recommendations in hand, Archbishop Dolan again encouraged Father Engel to seek voluntary laicization. Father Engel requested the opportunity to live a life of prayer and penance possibly in a monastic setting. Archbishop Dolan agreed to permit him to seek such a living situation. No such opportunity had presented itself prior to Archbishop Dolan's transfer to the Archdiocese of New York.

Upon taking possession of the Archdiocese of Milwaukee, one matter I sought to review was the status of any cases pending with the Congregation for the Doctrine of the Faith or any that could potentially need to be referred there. Father Engel's case was one that came to my attention. With the clarification of the law in July 2010, that "the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology" (*Norms on Graver Delicts*, Art. 6, §1, 2^o) constitutes a grave delict reserved to the Congregation, I advised Father Engel to consider voluntary laicization. I gave him a period of time in Fall 2010 to consider this option. He refused to seek laicization.

Therefore, I now submit for your consideration this commission of a delict and ask that you advise me on how to proceed. Since there is an admission of the acquisition and possession of child pornography, a lengthy fact finding investigation through a judicial penal process seems unnecessary, in my opinion. Therefore, I seek the authority of the Congregation to conduct an administrative penal process. If your determination is that this case should proceed to a dismissal by decree of your Congregation, I would cede to that judgement. Father Engel has had sufficient time over the last six years, with financial support from the Archdiocese, to acquire skills needed to support himself by secular employment.

With sentiments of esteem, I am,

Sincerely yours in Christ,



Most Reverend Jerome E. Listecki
Archbishop of Milwaukee



CONGREGAZIONE
PER LA DOTTRINA
DELLA FEDE

00120 Città del Vaticano, 9 April 2011
Palazzo del S. Uffizio

OFFICE OF THE ARCHBISHOP

APR 28 2011

Page N. 558/2010 -- 35134

CONFIDENTIAL

Your Excellency,

Thank you for your correspondence of 14 March 2011 regarding the Rev. Ronald G. ENGEL, a priest of your diocese accused of possession of child pornography.

After having carefully examined the *Acta*, and in light of Your Excellency's comments, this Congregation authorizes you to initiate an administrative penal process in accordance with can. 1720 *CIC*. Your Excellency is kindly requested:

- 1) to inform the accused of the allegations and 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 Your Excellency were to consider it opportune to request the *penalty of dismissal from the clerical state or some other perpetual penalty*, the imposition of such penalty should be requested first from this Congregation. In the event that a decree were to be issued by this Dicastery, the accused would always have the right to present his recourse to the Ordinary Session of the Cardinal and Bishop Members of this Congregation (*Feria IV*).

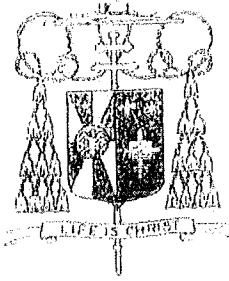
Your Excellency is also reminded of the obligation to adhere to the norms of *CIC* can. 281.

With prayerful support and best wishes, I remain

Yours sincerely in Christ,

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

His Excellency
The Most Reverend Jerome E. LISTECKI
Archbishop of Milwaukee
3501 South Lake Drive
Milwaukee, Wisconsin 53207-0912
UNITED STATES OF AMERICA



JEROME EDWARD LISTECKI

Miseratione Divina et Apostolicae Sedis Gratia
Archiepiscopus Milvauchiensis

Prot. N.: CDF 558/2010 - 35134
MKE 02/11 APP

DECREE

Having been authorized by the Congregation for the Doctrine of the Faith to undertake an administrative penal process in the matter of the

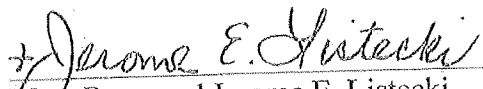
Reverend Ronald G. ENGEL


I herewith decree the opening of this process in accord with the norm of canon 1720.

Two assessors shall be appointed. A defense brief will be solicited upon a review of the allegations by the procurator/advocate for the accused.

I appoint the Reverend Philip Reifenberg as Promoter of Justice (CIC canon 1430). I also appoint the Very Reverend William Kohler as Notary for this process (CIC canons 483 & 484)

Given this 17th day of May 2011


Most Reverend Jerome E. Listecky
Archbishop of Milwaukee


Very Reverend William Kohler
Notary

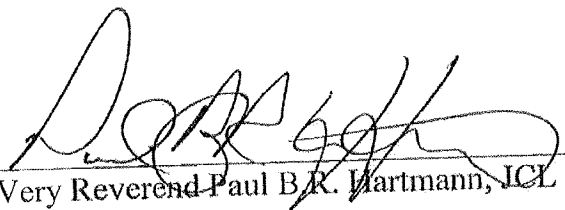
Archdiocese of Milwaukee
Metropolitan Tribunal
3501 S Lake Drive
Milwaukee, WI 53207-0912

Decrees & Evidence
Administrative Penal Process (In Progress)
Reverend Ronald Engel
CDF Prot. N.: 558/2010



With due regard to *SACRAMENTORUM SANCTITATIS TUTELA* and the revised *substantive norms*, Article 30§§1&2, promulgated 21 May 2010, these documents are subject to the restrictions of the pontifical secret.

At the direction of the Most Reverend Jerome E. Listecki, Archbishop of Milwaukee, these documents are forwarded from the care of the Metropolitan Tribunal of the Archdiocese of Milwaukee on 30 September 2011.



Very Reverend Paul B. R. Hartmann, JCL
Judicial Vicar

ADOM050338