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Vatican defends action in Wis. abuser case

by John Thavis by Catholic News Service



Jesuit Father Federico Lombardi, the Vatican spokesman (CNS)

VATICAN CITY -- The Vatican defended a decision not to laicize a Wisconsin priest who sexually abused deaf children, despite the recommendation of his bishop that he be removed from the priesthood.

In a statement responding to a report in the *New York Times*, the Vatican said that by the time it learned of the case in the late 1990s, the priest was elderly and in poor health.

The Vatican eventually suggested that the priest continue to be restricted in ministry instead of laicized, and he died four months later, the Vatican said.

The Vatican decision not to proceed to a church trial and possible laicization came after the priest wrote a personal appeal to then-Cardinal Joseph Ratzinger, now Pope Benedict XVI, who was head of the Vatican's doctrinal congregation at the time, the *Times* article said.

On March 25, the day the article was published, members of the Survivors' Network of those Abused by Priests held a brief demonstration in front of the Vatican, distributing copies of documents related to the

case and calling on the pope to disclose how he and the doctrinal congregation handled allegations of sexual abuse by priests.

Vatican officials who spoke on background said the New York Times story was unfair because it ignored the fact that, at the urging of Cardinal Ratzinger himself, new procedures to deal with priest abusers were put in place in 2002, including measures making it easier to laicize them.

"This would be handled differently today, based on jurisprudence and experience," one Vatican official told Catholic News Service. "But you can't accuse people of not applying in 1998 a principle that was established in 2002."

The case involved Father Lawrence C. Murphy, who worked at a school for the deaf in Milwaukee from 1950 to 1974. In the early 1970s, multiple allegations of sexual abuse against the priest were made to civil authorities, who investigated but never brought charges. He was placed on a leave of absence for a while and later returned to pastoral ministry in the Diocese of Superior, where he worked until 1993.

The Times story said that according to documents it obtained from lawyers involved in a lawsuit against the Archdiocese of Milwaukee, then-Archbishop Rembert G. Weakland in 1993 hired a social worker who interviewed Father Murphy and reported that the priest had admitted his acts, had probably molested about 200 boys and felt no remorse. The archbishop placed restrictions on Father Murphy's ministry.

Archbishop Weakland wrote to Cardinal Ratzinger about the case in 1996 because he thought it might involve "solicitation in the confessional," a sin which because of its gravity involved the doctrinal congregation.

Later in 1996, the doctrinal congregation told Wisconsin bishops to begin a canonical trial of Father Murphy, the Times article said. But it said that process was halted after Father Murphy wrote directly to Cardinal Ratzinger, saying that he had repented and was in poor health, and that the allegations went beyond the church's own statute of limitations for such crimes.

When Archbishop Weakland met in 1998 with Cardinal Ratzinger's assistants at the doctrinal congregation official, he failed to persuade them to allow a trial that could lead to the defrocking of Father Murphy.

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Jesuit Father Federico Lombardi, the Vatican spokesman, said the Father Murphy case was a "tragic" one that "involved particularly vulnerable victims who suffered terribly from what he did."

Father Lombardi pointed out, however, that the Vatican was only informed of the case more than two decades after the abuse had been reported to diocesan officials and the police. He noted that civil authorities had dropped their investigation without filing charges.

The church's canonical procedures in such cases do not envision "automatic penalties," but recommend that a judgment be made, not excluding removal of a guilty priest from the priesthood, Father Lombardi said.

"In light of the facts that Father Murphy was elderly and in very poor health, and that he was living in seclusion and no allegations of abuse had been reported in over 20 years, the Congregation for the Doctrine of the Faith suggested that the archbishop of Milwaukee give consideration to addressing the

situation by, for example, restricting Father Murphy's public ministry and requiring that Father Murphy accept full responsibility for the gravity of his acts," Father Lombardi said.

"Father Murphy died approximately four months later, without further incident," he added.

The Vatican spokesman underlined a point made frequently by church officials in recent weeks: that the rules on confidentiality in the church's investigation of such allegations have never prohibited the reporting of child abuse to law enforcement agencies.

The Vatican's doctrinal congregation was given oversight on all cases of sexual abuse of minors by priests in 2001. Under new Vatican rules established in 2001-2002, as the scope of the sex abuse scandal became clearer, the congregation was empowered in very grave and clear cases to laicize priest abusers without going through an ecclesiastical trial.

One Vatican official said that today, Father Murphy would have fallen into that category and would have been laicized.

Since 2001, about 20 percent of the approximately 3,000 cases processed have resulted in removal of the offender from the priesthood, a Vatican official said recently. In most other cases, removal from public ministry is the result.

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