

Milwaukee priest wants Archbishop Myers investigated

Tom Roberts | Apr. 30, 2013 NCR Today

Following is a letter sent to the Congregation for the Doctrine of the Faith by Fr. James Connell, a priest of the Archdiocese of Milwaukee and an outspoken advocate for victims of clergy sex abuse. Keep checking website. More to come on the story from NCR reporter Brian Roewe.

April 29, 2013

Archbishop Gerhard Ludwig Müller

Prefect of the Congregation for the Doctrine of the Faith

Vatican City State

Europe

Dear Archbishop Müller,

I am a priest of the Archdiocese of Milwaukee (USA), a canon lawyer, and an advocate for victims/survivors of Catholic clergy sexual abuse of minors.

I request that the Congregation for the Doctrine of the Faith (CDF) investigate within a Church penal process Archbishop John Myers' handling of the matter concerning the Reverend Michael Fugee.

Yesterday, The Star-Ledger, a newspaper published in Newark, New Jersey (USA) printed a story titled "Newark archbishop allows priest who admitted groping boy to continue working with children" which declares that Archbishop John Myers, the Archbishop of Newark, allowed the Reverend Michael Fugee to continue in priestly ministry even though Archbishop Myers knew that Fr. Fugee had confessed to the crime of sexual abuse of a minor. Here is the link to the on-line version of the newspaper article

http://www.nj.com/news/index.ssf/2013/04/with_approval_of_archbishop_pr.html [1]

In addition, the on-line version of the newspaper also published two key documents.

First, there is a copy of Fr. Fugee's confession to the police of two acts of sexual abuse of minors, along with Fr. Fugee's acknowledgement that these actions were crimes. Here is the link to that confession; especially see pages 6, 8, and 9 <https://www.documentcloud.org/documents/561652-fugee-police-statement.html> [2]

Second, there is a copy of a Memorandum of Understanding dated July 18, 2007 that is signed by Msgr. John E. Doran, the Vicar General of the Archdiocese of Newark, Bergen County Prosecutor John L. Molinelli, Rev. Michael Fugee, and his Attorney Michael D'Alessio. This Memorandum documents an agreement to be followed by Fr. Fugee and the Archdiocese of Newark rather than for Fr. Fugee to face prosecution by the Bergen County. The Memorandum also contains a history of the case. Here is the link to the Memorandum <https://www.documentcloud.org/documents/528129-fugee-agreement-with-pros-office.html> [3]

In my opinion, by signing the 2007 Memorandum Fr. Fugee admits to the crime for which he still could face prosecution in a New Jersey court (if he violates the conditions of the Memorandum). He admits the crime that he confessed to years earlier. This is a current confession of the crime.

Archbishop Müller, in light of the information contained in these two key documents, the declarations made in the newspaper article compel me to bring this matter to your attention. Indeed, I do so recognizing my responsibility as presented in canon 212, §3 of the Code of Canon Law.

My concern regards Archbishop Myers' compliance with Church law as presented in the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, which stands as particular law for the dioceses and eparchies that comprise the United States Conference of Catholic Bishops, having been established as such by the Congregation for Bishops. Here is link to the *Essential Norms* <http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/2011-Charter-booklet.pdf> [4]

Two Norms focus my concern.

Norm 6 of the *Essential Norms* (thus, Church law) establishes: "When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified." This requirement of Norm 6 mirrors the Vatican requirement "If the accusation is considered credible, it is required that the case be referred to the CDF" stated in a *Circular Letter to assist Episcopal Conferences in developing guidelines for dealing with cases of sexual abuse of minors perpetrated by clerics*, dated May 3, 2011. Here is the link to that Circular Letter http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20110503_abuso-minori_en.html [5]

Norm 8 of the *Essential Norms* (thus, Church law) establishes: "When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from the ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants."

Hence, I present to you three questions: (1) Is there sufficient evidence to require that a case of sexual abuse of a minor against Fr. Fugee be presented to the CDF as required by Norm 6 of the *Essential Norms* and by Vatican requirements, so that the CDF can put into motion procedures to determine if Fr. Fugee should be removed permanently from ministry as required by Norm 8 of the *Essential Norms*? (2) If yes, did Archbishop Myers comply with Norm 6 of the *Essential Norms* and the Vatican requirements by reporting this case to the CDF? (3) If Archbishop Myers did not report this case to the CDF as required by church law, should Archbishop Myer be required to explain himself within a Church penal process?

Thank you for your kind attention.

Sincerely yours in Christ,

Reverend James E. Connell

Source URL (retrieved on 01/29/2015 - 06:44): <http://ncronline.org/blogs/ncr-today/milwaukee-priest-wants-archbishop-myers-investigated>

Links:

[1] http://www.nj.com/news/index.ssf/2013/04/with_approval_of_archbishop_pr.html

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