

Philadelphia's Msgr. Lynn to wear monitoring device as part of release

Brian Roewe | Jan. 6, 2014 NCR Today

Following his first weekend as a free man in 18 months, Msgr. William J. Lynn returned to a Philadelphia courtroom Monday to learn the terms of his release.

[According to the Philadelphia Inquirer](#) [1], Common Pleas Court Judge M. Teresa Sarmina informed Lynn that he must wear an electronic monitor as part of his parole, remain in the area, and report weekly to a probation officer or face a return to prison.

The noticeably slimmer, 62-year-old monsignor (several media reports indicated he lost 80 pounds while serving his sentence) left a Philadelphia prison Friday morning. A Superior Court decision Dec. 26 overturned the June 2012 ruling that convicted him on one count of child endangerment and sentenced him to three to six years in prison. Lynn, the Philadelphia archdiocese's secretary for clergy from 1992 to 2004, was the first U.S. church official convicted for his handling of abuse claims.

In an unanimous, [43-page decision](#) [2], the three-judge panel ruled that a 2007 amendment to the state's endangerment of the welfare of a child, or EWOC, law did not apply to Lynn, and the interpretation of the law by Sarmina, who presided over the three-month trial, was "fundamentally flawed."

Before 2007, the EWOC law applied to a parent, guardian or person supervising the welfare of a child; the amended version added "a person that employs or supervises such a person."

"We cannot dispute that the Commonwealth presented more than adequate evidence to sufficiently demonstrate that Appellant prioritized the Archdiocese's reputation over the safety of potential victims of sexually abusive priests ... Nevertheless, we do not believe such a showing is sufficient to demonstrate intent to promote or facilitate an EWOC offense," the judges' decision stated.

Philadelphia District Attorney Seth Williams has stated he will appeal the Superior Court's ruling.

The Philadelphia archdiocese posted the 10 percent deposit of Lynn's \$250,000 bail necessary for him to exit his prison compound Friday. In a letter released the same day, Archbishop Charles Chaput defended the decision to provide the \$25,000 fee as "both reasonable and just."

"Msgr. Lynn presents no danger to anyone. He poses no flight risk. The funding for his bail has been taken from no parish, school or ministry resources, impacts no ongoing work of the Church and will be returned when the terms of bail are completed," Chaput said.

The archbishop also said Lynn will remain on administrative leave and cannot function publicly as a priest. While he repeated the appellate court's description of Lynn's conviction as "fundamentally flawed," Chaput said the decision did not exonerate the archdiocese from acknowledging its past abuse record.

"The Superior Court ruling does not vindicate Msgr. Lynn's past decisions. Nor does it absolve the Archdiocese from deeply flawed thinking and actions in the past that resulted in bitter suffering for victims of sexual abuse and their families.

"Above all, it does not and cannot erase the Archdiocese's duty to help survivors heal. We remain committed to that healing -- now and in the future," he said.

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[1] http://www.philly.com/philly/news/breaking/20140107_Lynn_returns_to_court__hears_bail_conditions.html

[2] <http://www.pacourts.us/assets/opinions/Superior/out/j-a23005-13o%20-%201016613421853550.pdf#search=%22Lynn%22>

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