

Diocese of Des Moines
The New Moment
Frequently Asked Questions about Disclosure of Substantiated Claims

Q. Why is the diocese disclosing the names of men who have substantiated claims against them of sexually abusing a minor while they were assigned as clergy in our diocese?

A. In the interest of keeping our children safe, helping victims/survivors of abuse heal, and regaining the trust and confidence of our communities, the Diocese of Des Moines has compiled a list of names of individuals against whom there is a substantiated claim of abusing a minor. In the past, the diocese has disclosed case-by-case individual priests against whom there was a substantiated claim.

Q. What is a substantiated claim?

A. A substantiated claim is one for which sufficient evidence exists to establish reasonable grounds to believe that the alleged abuse occurred. This is not the same as conviction in the court of law.

Q. Has the Diocese of Des Moines conducted an external review of its files?

A. Yes. Following the abuse scandals in 2002, files of living and deceased priests and bishops who had ministered in the diocese were internally reviewed in 2003-04 for records documenting abuse claims. This review was part of investigations conducted by the diocesan Allegation Review Committee, a consultative body of mostly non-church personnel with expertise in law, criminal justice, and mental health, which led to the 2006 laicization of two priests, John Ryan and Richard Wagner. A third priest, Albert Wilwerding, died before laicization was granted, although he had been removed from ministry and was living in a confined setting from 1984 until his death in 2004.

Files of living priests were externally reviewed by a private investigator, in the fall 2014.

Q. What was the scope of the reviews?

A. The purpose of the review was to determine whether there are additional cases of sexual abuse or other misconduct that require investigation by law enforcement, disclosure to the public, or other action by the diocese.

Q. What is the threshold for removing a priest from public ministry?

A. If the diocese receives a credible claim of sexual abuse of a minor or vulnerable adult, a clergy member will be immediately removed from public ministry, pending investigation in cooperation with civil authorities. The public is also notified that a claim has been made through a press release that is issued.

Q. Can a priest who sexually abused a minor ever be put back into public ministry?

A. No. A priest who is known to have sexually abused a minor can never return to public ministry.

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Q. Will the diocese continue to disclose names of clergy if claims of sexual abuse against them are substantiated?

A. Yes. The diocese is committed to prudent and ongoing disclosure. If a claim against a living priest is determined credible, we will immediately disclose to the public. If following an investigation the claim is determined to be substantiated, we will add the name of the clergy member to the list of those priests with substantiated allegation published on the diocesan website.

Q. Why not make all accusations against clergy public?

A. Some claims against clergy may not be established as substantiated. It would be wrong to publicize these men's names when there is insufficient evidence to establish reasonable grounds to believe that the alleged abuse occurred. For our purposes, substantiated claims of a sexual abuse of a minor are determined by the Allegation Review Committee on the evidence presented to them.

Q. What about claims against a priest made after his death?

A. As the priest is deceased, there is no consideration relating to child protection, and thus considerations related to due process and protecting reputations become more substantial. In the vast majority of these claims, the priest was accused after he had passed away and had no chance to address the matter against him. Often, there has been a single allegation of abuse, which is not to minimize even one allegation, but to point out that there is little evidence to base a decision. Moreover, it is very difficult to substantiate these accusations as often they involve events decades ago.

Therefore, the diocese has determined not to disclose the names of priests who had a single, uncorroborated allegation against them after death since there was not an opportunity to substantiate the claim. The only exceptions to this are deceased priests who have already been publicly accused or priests who had multiple, corroborating allegations against them.

Most of the priests on the list are now deceased, but there was sufficient corroboration and information that the Allegation Review Committee had a chance to substantiate the claim.

Q. Have any of these men with substantiated claims been permanently removed from the priesthood by being dismissed from the clerical state (laicized)?

A. Some men named on the disclosure lists have been removed from the priesthood (laicized). Laicization of two men was in process but could not be completed before their death. Dismissal from the clerical state is a complicated process of Canon (Church) law that may or may not be an available or appropriate option. Circumstances such as the age and health of the cleric, the amount of time that has passed since the abuse occurred, and the availability of

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evidence are all factors to be considered. Regardless, under no circumstances can a cleric who has sexually abused a minor ever return to ministry.

Q. What does Canon law require regarding the removal of abusive clergy from ministry?

A. A priest who has sexually abused a minor must be removed from ministry immediately and permanently. A bishop who has substantiated a report of sexual abuse of a minor by a certain priest must work with the Holy See in Rome to determine the most appropriate resolution to the priest's status.

Q. Are the men on the disclosure list being supported financially or in other ways by the diocese? Where does this money come from?

A. Financial support varies depending on the individual circumstances. The diocese has an obligation under canon law to ensure that no man ordained a priest is left destitute. All men who served as priests are legally entitled to receive priest pension benefits and supplemental health coverage that have accrued on their behalf.

Q. What is the total cost and source of funds for payments for legal settlements related to clergy sexual abuse?

A. The total cost of legal settlements for claims related to abuse stands at \$3,056,750. Diocesan insurance covered slightly more than \$1 million of this cost. The diocesan sources for the remainder were the sale of the former Bishop's home and investment income. Some of the priests have contributed personal resources to the civil resolution of funds. Sources do not include diocesan operations funding, such as the Annual Diocesan Appeal.

Q. What should a person do if he or she has concerns about one of the names on the list or to file a claim of abuse?

A. Any concerns regarding the names on this list should be provided to the diocese' Safe Environment Office at 515-237-5048. To report abuse, please contact law enforcement or Sam Porter, with Polk County Crisis and Advocacy. Mr. Porter serves as a 3rd party victim assistance advocate, he does not work for the diocese. Mr. Porter can be reached at 515-286-2015 or Sam.Porter@polkcountyiowa.gov.