

centerforconstitutionalrights
on the front lines for social justice

11 April 2012

Via email: otp.informationdesk@icc-cpi.int

Mr. Luis Moreno Ocampo
Prosecutor
International Criminal Court
Post Office Box 19519
2500 CM The Hague
The Netherlands

Re: Information Supplementing ICC Communication
ICC File No. OTP-CR-159/11

Dear Mr. Ocampo:

On 13 September 2011, the undersigned submitted a communication to your office on behalf of the Survivors Network of those Abused by Priests ("SNAP") in accordance with Article 15 of the Rome Statute. The communication urged an investigation into the responsibility of four high-level Vatican officials for the systemic rape, sexual violence and torture of children and vulnerable adults by priests and others associated with the Roman Catholic Church. Along with the complaint, we submitted several thousand pages of documentation including testimonies, reports of grand juries and commissions of inquiry, expert opinions, correspondence from and to high-level Vatican officials concerning allegations of rape and sexual violence, and other evidence illustrating the policies and practices that have created a culture of rape and sexual violence within the Church for which the four named individuals should be held accountable.

We now write to apprise you of several developments as well as additional evidence that has come to light in the seven months since the filing. For your ease of reference, we have attached an updated Appendix that reflects the new exhibits with hyperlinks to the documents.

1. **Nearly 500 Hundred Inquiries from 65 Countries.** In the days and weeks following the filing of the September submission, SNAP received 495 inquiries from people in 65 different countries. The organization is staffed by fewer than a handful of people and relies in large part on assistance from volunteers in its outreach to and support of victims of clergy sex crimes. As such, SNAP is doing all it can, including surmounting language barriers, to assess the aims and needs of all those who have contacted the group since the filing, which include victims, witnesses, whistleblowers and supporters. Upon initial review of those inquiries, it is clear that many of the inquiries originated in countries that are party to the

Rome Statute and some concern acts that were committed subsequent to the Rome Statute's entry into force.

SNAP staff and volunteers will continue to try to meet the needs for support of those survivors who have reached out since the filing, but the volume of responses demonstrates that these crimes are truly a global concern and that the situation requires a prosecutor with international jurisdiction to undertake a serious and thoroughgoing investigation of the systemic nature of these crimes.

2. **September 2011: Amnesty International Ireland Issues Report Finding 'Abuse' Amounted to Torture and Cruel, Inhuman and Degrading Treatment.** On 27 September 2011, Amnesty International Ireland issued *In Plain Sight*, a report which found that the abuse of children in Catholic-run institutions in Ireland amounted to torture and cruel, inhuman and degrading treatment.¹ The report was commissioned to explore the conditions in which the widespread and systematic abuse was allowed to occur over so many years, key among them the undue deference and privileges accorded to the Roman Catholic Church by state actors in Ireland, in addition to societal attitudes about poverty that rendered marginalized children vulnerable to exploitation and violence. In this regard, the report notes that when the "extent of the abuse and subsequent cover-up" in one diocese first became known in 2002, the then-Prime Minister stated, "It's really a matter for the church; it's not a matter for politicians. I'm not going to cross politics and religion."² As a result of this undue deference accorded to the Church, the State failed in its obligation to hold agents of the Church to account for the direct harm as well as for the cover-ups and turned its back on and condemned countless children to brutal horrors.

The Amnesty report rightly framed the abuses documented through four major reports into church-run institutions as grave human rights abuses, regardless of the fact that they were committed behind the veil of religious authority. Among the key findings of the report:

Despite the severity of the crimes revealed in the Ferns, Ryan, Murphy and Cloyne Reports³ which range from physical assault to rape, very few perpetrators have been convicted. Furthermore, no criminal charge has been laid against those in positions of authority in the Catholic Church who concealed crimes against children and allowed known sex abusers to continue to have access to children and to continue to abuse with near impunity.⁴

¹ Carole Holohan, *In Plain Sight: Responding to the Ferns, Ryan, Murphy and Cloyne Reports*, Amnesty International Ireland (2011), available at http://www.amnesty.ie/sites/default/files/INPLAINSIGTH_FINAL.pdf [hereinafter "Amnesty Report"] (EXHIBIT H-1).

² *Id.* at p. 307.

³ Each of these reports was submitted to the OTP with the 13 September 2011 communication as Exhibits C 2-5.

⁴ Amnesty International Ireland, *Key Findings of In Plain Sight* (2011), available at <http://www.amnesty.ie/news/abuse-children-irish-institutions-amounted-torture>.

Upon the release of the report, Ireland's Minister for Children and Youth Affairs, Frances Fitzgerald, described the abuses as "horrifying if it were done to prisoners of war, never mind little boys and girls. Rape, burning, beating, biting. Horrendous, awful torture."⁵

3. **October 2011: U.S. Bishop to Be Tried for Failing to Report Child Sexual Abuse.** In October 2011, Bishop Robert Finn, head of the Kansas City-St. Joseph Diocese, was indicted in Jackson County, Missouri, for failing to report suspected sex offenses against children by one of the priests in his diocese. The priest has been charged in different local and federal jurisdictions with possessing, producing and attempting to produce child pornography. On 5 April 2012, the trial court denied Finn's motions to dismiss the indictments on the basis that he was not a designated, i.e. mandatory, reporter of sexual abuse under state law.⁶ The trial court held a jury could conclude that Finn was a "designated reporter" under the statute, clearing the way for the case to proceed to trial.

In November 2011, Finn avoided another indictment in a different county when he entered into a five-year diversion program with the Clay County prosecutor requiring him to meet monthly face-to-face with the District Attorney for the next five years to discuss any allegations of child sex abuse levied against clergy or diocesan staff within the diocese's Clay County facilities; describe what steps the diocese is taking to address the allegations; and visit all Clay County parishes to outline new programs the diocese is implementing to protect children. Pursuant to the agreement, Finn must be accompanied by the diocesan ombudsman and a new director of child and youth protection.⁷

4. **November and December 2011: Final Cloyne Chapter and Reports into Six Other Irish Counties Released.**
 - *Cloyne Chapter.* In December 2011, a previously withheld portion of the Cloyne Report was released.⁸ Chapter Nine of Cloyne deals exclusively with allegations against 'Fr. Ronat,' who is identified by a pseudonym as are all of the thirteen victims. The report documents a deplorable response by Church officials to the allegations against Ronat. Once again, and as has been the case in virtually all of the reports of independent commissions of inquiry and grand

⁵ Remarks by Minister for Children and Youth Affairs (Frances Fitzgerald) (27 Sept. 2011), available at <http://www.amnesty.ie/news/abuse-children-irish-institutions-amounted-torture>.

⁶ Joshua J. McElwee, *Judge Orders Kansas City Bishop to Stand Trial in Abuse Case*, National Catholic Reporter, 5 Apr. 2012, available at <http://ncronline.org/news/accountability/judge-orders-kansas-city-bishop-stand-trial-abuse-case>.

⁷ Glenn E. Rice, Judy L. Thomas and Mark Morris, *Bishop Finn Avoids Indictment by Entering Diversion Program*, The Kansas City Star, 14 Nov. 2011, available at <http://www.kansascity.com/2011/11/15/3267619/bishop-finn-avoids-indictment.html>.

⁸ Report Into the Diocese of Cloyne Report, Chapter Nine, Commission of Investigation, 23 Dec. 2010, released Dec. 2011, available at http://www.bishop-accountability.org/reports/2011_07_13_Cloyne_Report/Cloyne_further_portions_Dec_2011.pdf [hereinafter "Cloyne Chapter Nine"] (**EXHIBIT H-2**). The previously released portion of the Cloyne Report was submitted with the 13 Sept. 2011 communication at Exhibit C-5.

juries, the Cloyne Commission found that "[i]n effect, the committee was more concerned about causing scandal than about protecting children."⁹

The Commission also noted instances where diocesan officials "blamed the victim," in one instance referring to a teenage complainant as "besetting" the priest and referred to her as the "Ophelia of Hamlet." The Commission indicates that the church's record-keeping on the allegations was not impartial and was concerned more about appearances of consensual sex and age of consent. As an example, the church's records reflected that aforementioned victim was 17 when the priest assaulted her when in fact she was 14 and 15 at the time of the assaults.

The Commission also noted that the diocese failed to report to the health department and law enforcement authorities as required by the Framework Document adopted by the Irish bishops in 1996. (The Commission views the reporting requirements in the Framework document as mandatory. However, as discussed more below, Irish bishops were advised in a 1997 letter from Rome that mandatory reporting was not consistent with Canon law and that Canon law instead should be "meticulously followed."¹⁰)

Another complainant felt that the Commission understated her abuse at the hands of Ronat when they described it as "serious sexual assault." She commented later:

That man anally raped me, and no one can imagine how degrading that is and there is no point in shying away from it – describing it as ‘a serious sexual assault’ does not convey the devastating impact that being assaulted like that can have on someone’s confidence.¹¹

The report also noted that Ronat continued to have access to children after restrictions were placed on him and he was knowingly allowed to serve as the master of ceremonies at confirmation ceremonies. Moreover, the report noted that Diocesan officials worked to keep the allegations against Ronat quiet, noting that no public announcement was ever made, that he was allowed to continue to present himself to the general public as a priest in good standing, and that he was allowed to present himself as having retired on health grounds and continue to wear clerical dress.

⁹ *Id.* at p. 135.

¹⁰ See *Child Sexual Abuse: Framework for a Church Response, Report of the Irish Catholic Bishops' Advisory Committee on Child Sexual Abuse by Priests and Religious*, Veritas Publications (Dublin, 1996) annexed to 13 September Communication as Exhibit B-6. See also, *Confidential Letter by Archbishop Luciano Storero, Apostolic Nuncio to Ireland, to the Members of the Episcopal Conference, Regarding the Framework Document*, 31 Jan. 1997, annexed to 13 Sept. Communication as Exhibit B-6(a).

¹¹ See Cloyne Chapter Nine at p. 165; *Victims Speak of Anger at Church Response*, Irish Times, 20 Dec. 2011, <http://www.irishtimes.com/newspaper/ireland/2011/1220/1224309294510.html>; see also Barry Roche and Eoin Burke-Kennedy, *Mixed Reaction from Cloyne Victims to Meeting Proposal*, Irish Times, 21 Dec. 2011, <http://www.irishtimes.com/newspaper/ireland/2011/1221/1224309340445.html>.

- *Six Irish Dioceses.* On 30 November 2011, the National Board for Safeguarding Children in the Catholic Church ("NBSCCC") issued the Diocesan audit reports on the status of implementation of safeguarding practices in six Irish dioceses.¹² The NBSCCC was established by Irish bishops and religious orders to provide monitoring of church practice in child protection. The reports are based upon case material made available by the dioceses and the board does not have power to compel the dioceses to produce materials. Indeed, the reports may be published only with the consent of the bishops or church authorities.

The report addressed allegations during the period 1975-2010. While the reports mostly lauded efforts at compliance with the safeguarding practice in the dioceses of Ardagh and Clonmacnois, Derry, Dromore, Kilmore, Raphoe and Tuam, there were still areas for grave concern identified by advocates that were included in the reports. In particular, advocates in Northern Ireland expressed concern that the "pattern of reports of abuse being ignored or priests suspected of abusing children being moved out of dioceses, even to other parts of the world, is replicated throughout the six reports, that include Tuam in the west of Ireland and Dromore in Northern Ireland..."¹³ A number of advocates and survivors called for a totally independent public inquiry into clerical abuse in Northern Ireland. Additionally, a former police investigator and some victims have accused bishops of "whitewashing their own records and turning a blind eye to unresolved cases."¹⁴ Others expressed concern at the number of accused priests who are still in ministry.¹⁵

With respect to the Derry Diocese, the reported noted:

Priests about whom there were clear concerns were not robustly challenged or adequately managed and problems were often "handled" by moving them to postings elsewhere. There is evidence that abusive behaviour continued to be exhibited by priests who were moved on in this manner.¹⁶

With respect to the diocese of Dromore, the report found that the practice of the diocese "placed too much emphasis on maintaining the good name of the

¹² *Safeguarding Review of Six Dioceses*, National Board for Safeguarding Children in the Catholic Church, Nov. 2011, available at <http://www.safeguarding.ie/reviews-nov-2011/> [hereinafter "NBSCCC Report"] (**EXHIBIT H-3**).

¹³ Henry McDonald, *Amnesty Calls for Inquiry Into Child Sex Abuse by Clergy in Northern Ireland*, The Guardian, 30 Nov. 2011, available at <http://www.guardian.co.uk/world/2011/nov/30/amnesty-child-sex-clergy-northern-ireland>.

¹⁴ See, *85 Priests Were Accused of Abuse - Catholic Church Reviews*, BBC, 30 Nov. 2011, <http://www.bbc.co.uk/news/uk-northern-ireland-15960621> and Shawn Pogachink, *Probe: 6 Irish Dioceses No Longer Hide Child Abuse*, Associated Press, 30 Nov. 2011, available at <http://www.huffingtonpost.com/huff-wires/20111130/eu-ireland-catholic-abuse/>.

¹⁵ *85 Priests Were Accused of Abuse - Catholic Church Reviews*, BBC, 30 Nov. 2011, <http://www.bbc.co.uk/news/uk-northern-ireland-15960621>.

¹⁶ NBSCCC Report, Derry, at p. 9.

accused priest rather than ensuring the safety of children."¹⁷ A number of concerns were identified with respect to the Raphoe Diocese, including, that as in Dromore, "too much emphasis was placed on the situation of the accused priest and too little on the needs of their complainants."¹⁸ One advocate expressed particular concern about the Raphoe report because "[i]t highlights concerns over the approach adopted to child protection complaints by three bishops, including Bishop Dr. Philip Boyce, and concerns about the system for protecting children as late as 2009."¹⁹

5. **December 2011: Netherlands Report Into Sexual Abuse of Minors in the Roman Catholic Church and Forced Castrations.** On 16 December 2011, a Commission of Inquiry established by the Conference of Bishops and Dutch Religious Conference issued a report entitled "The Sexual Abuse of Minors Within the Roman Catholic Church" ("Deetman Report"). The report, authored by Commission chair Wim Deetman, looked at the nature and extent of sexual abuse of minors in the Netherlands between the years 1945-2010 and found that "tens of thousands" of children had been sexually abused during that period.²⁰

The Commission noted that while it received 1,795 reports of sexual abuse between March and December 2010, it undertook a more "scientifically sound" method of estimating the scale and nature of the sexual abuse, involving a selection of those who notified the commission of abuse as well as a sample population of 34,234 Dutch nationals aged 40 or older. As a result, the Commission estimated that the "number of victims that grew up as Roman Catholic, spent part of their youth in a Roman Catholic institution and reported being sexually abused by an offender working in the Roman Catholic Church before the age of 18 during the period between 1945 and 1981 is approximately 10,000 to 20,000." The study further found that the rate of "unwanted sexual contact with children" in institutions was approximately twenty percent, or twice that of the national average of Dutch persons subjected against their will to sexual advances from an adult who was not a member of their family before they were 18.²¹

The Deetman Report noted that "bishops and others were not ignorant of the problem of sexual abuse" and that they "failed to take adequate action and paid

¹⁷ NBSCCC Report, Dromore, at p. 4.

¹⁸ NBSCCC Report, Raphoe, at p. 5.

¹⁹ *Groups Respond to Diocese Audits*, IrishTimes.com, 30 Nov. 2011, <http://www.irishtimes.com/newspaper/breaking/2011/1130/breaking64.html>.

²⁰ Report of Commission of Inquiry into Sexual Abuse of Minors in the Roman Catholic Church (Netherlands), 16 Dec. 2011, available at http://bishopaccountability.org/reports/2011_12_16_Deetman_Seksueel_Misbruik/ [hereinafter "Deetman Report"] (EXHIBIT H-4).

²¹ Deetman Report, Executive Summary (English) at 8-9. http://bishopaccountability.org/reports/2011_12_16_Deetman_Seksueel_Misbruik/Deetman_Report_English_Summary.pdf (EXHIBIT H-5).

too little attention to victims."²² The Commission also noted that in the past, "the confessional was sometimes used to warn victims to remain silent."²³

While the Commission's findings were eye-opening in terms of the "cautious" estimates of the scale of sexual abuse in the Netherlands, what the Commission left out of the report was equally shocking: reports of the castration of at least 10 boys in retaliation for reporting sexual assault in the 1950s. The first known victim of this offense was an 18-year-old student at a Catholic boarding school when he attempted to report to police that he had been sexually assaulted by the brother superior of the school. He was taken to a Roman Catholic psychiatric ward, declared a homosexual and castrated. It is reported that this procedure was forced onto at least ten other students at the school who attempted to report sexual assaults.²⁴

6. **January 2012: Reports of Increasing Calls for Accountability in Poland.** Increasingly, there have been more and more reports surfacing over the years of serious sexual violence by priests and cover-ups by higher officials in Poland. For the first time in the summer of 2011 a Catholic publication in Poland addressed the issue of clerical sexual violence and observed:

The harm caused by sexual molestation of children is unquestionable -- but the evil is much greater when pedophilia occurs in the community of faith, and when, in a falsely conceived defense of the church, the authorities hide the facts, conceal the perpetrators and ignore the suffering of victims.²⁵

One Polish commentator summed up the difficulties facing victims in Poland, which victims of sexual violence by priests face in differing degrees everywhere:

Victims generally haven't come forward or considered lawsuits, because the church in Poland has such a strong position and they're afraid they'll be ostracized and vilified if they confront it. This is why the church isn't reacting -- it isn't threatened with loss of face or with having to pay damages.²⁶

One such victim was altar boy Bartek Obloj, who was just 13-years-old when he hanged himself on a tree in his village on 14 December 2007. He left a note for his mother:

²² *Id.* at p. 20.

²³ *Id.* at p. 18.

²⁴ Robert Chesal, *Time for the Truth about Catholic Sex Abuse in the Netherlands*, Radio Netherlands Worldwide, 19 Mar. 2012, <http://www.rnw.nl/english/article/time-truth-about-Catholic-sex-abuse-netherlands> (EXHIBIT H-6); *Dutch Roman Catholic Church 'Castrated' Boys in 1950s*, BBC, 20 Mar. 2012, <http://www.bbc.co.uk/news/world-europe-17453849>.

²⁵ Jonathan Luxmoore, *Polish Church Faces Demands to Confront Sex Abuse*, National Catholic Reporter, 13 Jan. 2012, <http://ncronline.org/print/news/accountability/polish-church-faces-demands-confront-sex-abuse> (EXHIBIT H-7).

²⁶ *Id.*

*Farewell. I hate that bald pedophile. I had to do this because he was saying that I robbed him. But I swear to God that I did not. But I wouldn't tell him that. This is what I wrote to give to the police. Tell the police to remove the priest from the parish because he is a pedophile. I do not want to be raped by him anymore. I do not know about what leash he was talking about. What is mine please give away to the people in need. Bartek.*²⁷

Bartek's tragic story joins accounts of other victims in Poland referenced in our September submission. In September, we referenced a report about the plight of victims of a priest who was alleged to have abused a number of children in a village in Poland over the course of his three decades of service there.²⁸ One 64-year-old villager who at that time had unsuccessfully asked church authorities to reassign the accused priest described feeling as though "we've lost our grounding on earth. The church requires repentance from us, but not from itself."²⁹

One of the priest's victims, Ewa Orłowska, discovered that her two daughters had been molested by the same priest who had sexually assaulted her as a child from age 7 until she was 11.³⁰ Orłowska had to leave her village after she came forward with her accusations against the priest in 2001 and her parents disowned her after they were visited by the priest. In 2004, the priest was convicted of sexually abusing children but was given a two-year suspended jail sentence and an eight-year prohibition on teaching children. He has reportedly defied the teaching ban and has been returned by his archbishop to the parish and has suffered no canonical sanctions.³¹

Orłowska wrote a book in 2008 about her experiences in coming forward and naming the priest and she has recently rejected the Polish church's assertion that it has a "zero-tolerance" policy for dealing with priests accused of sexual abuse. She has also harshly criticized the Polish church officials for "holding victims up to ridicule" and,

...behaving as if nothing has happened. No one in the church has made the slightest gesture. No one has expressed regret, visited or written to me. But now the bishops' conference head talks about surrounding victims of pedophilia with help and moral compensation.³²

²⁷ *The Devil Came to the Village*, Tygodnik Powszechny, 18 Feb. 2008, http://tygodnik.onet.pl/30.0.6423.diabel_przyszedl_do_wioski.artykul.html (Translated from Polish)

²⁸ See September Submission at p. 4.

²⁹ Beata Pasek, Faithful in Pope's Homeland Press Church to Act on Sex Abuse, STAR TRIBUNE [Poland], 28 Sept. 2003, available at http://www.bishopaccountability.org/news2003_07_12/2003_09_28_Pasek_FaithfulIn.htm.

³⁰ *Id.*

³¹ *Id.*

³² *Polish Author, Abuse Victim, Questions Bishops' Zero-Tolerance Stance*, Catholic News Services, 23 Mar. 2012, <http://www.Catholicnews.com/data/briefs/cns/20120323.htm>.

In February, National Catholic Reporter ("NCR") reported that:

Although prosecutors have brought charges against dozens of Polish priests, securing sentences has been difficult. When imposed, these have mostly been light, suspended jail terms. Most convicted clergy are still serving in parishes, often working with children, while their victims face hostility and exclusion.³³

The NCR story also reported on three other cases that surfaced last year and their outcomes:

In February [2011], the rector of a parish in northern Poland, who had already served a four-year sentence, was found guilty of plying a 15-year-old altar server with alcohol, abusing him and then inciting him to attempt suicide.

The boy hanged himself, but the priest stopped the suicide. The court ruled that the priest, identified in news reports as Fr. Piotr T, had not committed a crime since the boy was more "emotionally dependent" than the pastor had realized. An attempted murder charge against the priest was dropped on technicalities.

In May [2011], when the rector of St. Wojciech Parish in Kolobrzeg, Fr. Zbigniew Ryckiewicz, was charged with abusing two local boys, local media reported that he had been allowed to remain at his parish for a decade, until his bishop, Edward Dajczak of Koszalin-Kolobrzeg, suspended him for "violating celibacy" with a married male parishioner.

The priest's main victim, repeatedly abused as a 13-year-old, told the *Glos Koszalinski* daily that his school had ignored his complaints, telling him it was "impossible" a priest could "have such a thing on his conscience." When he sought damages to pay for therapy, diocesan authorities accused him of "swindling" the diocese. His abuser, whose trial opened Jan. 6, has continued to greet him in the street with the words, "God be with you."³⁴

In June [2011], the pastor of St. Jadwiga Parish in Bojano, convicted of molesting a 15-year-old girl after getting her drunk, received a 16-month suspended sentence and a two-year ban from teaching children. The judge at the trial, which was held in camera,

³³ Jonathan Luxmoore, *Clerical Power Thwarts Victims in Poland*, National Catholic Reporter, 8 Feb. 2012, <http://ncronline.org/printpdf/news/accountability/clerical-power-thwarts-victims-poland>. (EXHIBIT H-8).

³⁴*Id.*

confirmed that local clergy had "incited" the girl's parents not to report the crime.

The NCR story also noted that the Polish church's official Catholic information agency has asserted the position that bishops have no obligation to pass on information to civil authorities.³⁵ A leading child protection advocate in Poland stated to NCR that because Catholic clergy are "often the most powerful people" in villages and small towns, police and other authorities are often afraid to challenge those suspected of sexual violence.³⁶

7. **March 2012: Mexico: New Documents Shed More Light on Ratzinger's Role in Handling Notorious Offender.** In the 13 September submission, we included evidence relating to the case of Fr. Marciel Maciel Degollado, a priest from Mexico and the founder of the Legionaries of Christ. (See Exhibits E-6 and Expert Opinion of Thomas B. Doyle, annexed to September submission). Maciel was accused of numerous acts of rape and sexual violence over several decades. The evidence included correspondence from victims, who were former seminarians, to Maciel as early as 1976 and to Pope John Paul II as early as 1989.

A new book recently published reveals 198 internal Vatican documents which confirm that the Holy See knew for decades, through internal investigators of the allegations against Maciel including "acts of sodomy with boys of the congregation" and they did nothing.³⁷ *The Will Not to Know* was written by Jose Barba, a former Legionarian who in 1998 sought Maciel's excommunication from Ratzinger's Congregation for the Doctrine of the Faith for the sexual assault Maciel committed against him, Alberto Athie, a former priest, and Fernando M. Gonzalez, a scholar based in Mexico City. In addition to the decades-old allegations of former seminarians, one of the children that Maciel fathered in 1980 has also reported rape and sexual violence at the hands of Maciel.³⁸

According to the authors, the documents indicate that Ratzinger as head of the Congregation for the Doctrine of the Faith ("CDF"), and Tarcisio Bertone, who worked under Ratzinger at the CDF and who is also named in the September submission, retroactively modified the canon law statute of limitations for sexual abuse allegations in favor of Maciel in 2001.³⁹ It was only in 2006, after more

³⁵ *Id.*

³⁶ *Id.*

³⁷ See, A. Althie, J. Barbara, F. Gonzalez, *La Voluntad de No Saber*, available at http://www.lavoluntaddenosaber.com/index.php?option=com_content&view=article&id=2&Itemid=58 (Vatican Documents **EXHIBIT H-9**); Nicole Winfield and E. Eduardo Castillo, *Pope Mexico Trip: Legionaries of Christ Sex Abuse Victim Jose Barba's Book 'La Voluntad de No Saber' Overshadows Visit*, ASSOCIATED PRESS, 21 Mar. 2012, available at http://www.huffingtonpost.com/2012/03/21/pope-mexico-trip-2012_n_1369227.html.

³⁸ Thomas C. Fox, *Maciel's Son to Sue Legionaries: Details Abuse, Tells NCR 'Dad Promised \$6 Million,'* National Catholic Reporter, 20 Jun. 2010, <http://ncronline.org/news/vatican/maciel%E2%80%99s-son-sue-legionaries-details-abuse-tells-ncr-dad-promised-6-million>.

³⁹ Jason Berry, *Ratzinger Altered Canon Law to Soften Maciel Punishment, Book Argues*, National Catholic reporter, 24 Mar. 2012, <http://ncronline.org/news/vatican/atzinger-altered-canon-law-soften-maciel-punishment-book-argues>.

than 50 years of complaints of abuse, that Ratzinger, as Pope Benedict, finally "sentenced" Maciel to a "life of prayer and penance."

The knowing refusal and failure of those at the very top, including then-Cardinal Ratzinger as head of the CDF, to take action against Maciel directly facilitated and enabled the rape and sexual violence of even more children and vulnerable adults by Maciel over the years, including the rape of at least one of Maciel's own children.

8. **February and March 2012: More Haunting Developments in the U.S.**

- *Philadelphia*. One of the more shocking revelations about cover-up and obstruction of justice on the part of diocesan officials came to light in February through a court filing in a criminal case involving priests and an official from the Philadelphia archdiocese. On 24 February 2012, attorneys for Monsignor William Lynn filed a motion to dismiss the charges of child endangerment against him on the basis of newly discovered evidence, which consisted of documentary proof of an order given by Cardinal Anthony Bevilacqua to destroy a list of thirty-five priests credibly accused of sexual violence that Lynn had submitted to Bevilacqua in 1994.⁴⁰

The order was recorded in a hand-written note made by the person who was ordered to destroy all existing copies of the document, Monsignor James Malloy, and was witnessed by Rev. Joseph Cistone. (Motion with Note annexed hereto as [Exhibit H-10](#)). Malloy secretly stored the memo of a meeting and the shredding of the document in a safe which was not opened until after his death in 2006 when archdiocesan officials found it and hired a locksmith to open it. It is unclear why the documents were only recently turned over to Lynn's attorneys and prosecutors, though the hand-over appears to have happened after the Bevilacqua's death on 31 January 2012.

Malloy, the priest who destroyed the list on Bevilacqua's orders, died in 2006 but prior to his death expressed his reasons for documenting the destruction of the evidence:

I couldn't be sure that I could trust my superiors to do the right thing. I wanted my memos to be there if the archdiocese's decisions were eventually put on the judicial scales. This way, anyone could come along in the future and say, this was right or this wrong. But they could never say it wasn't all written down.⁴¹

Bevilacqua appeared at least ten times before the grand jury and denied knowing the details or playing a significant role in the handling of allegations

⁴⁰ John P. Martin, *Court filing: Bevilacqua Ordered Shredding of Memo Identifying Suspected Abusers*, The Philadelphia Inquirer, 25 Feb. 2012, http://articles.philly.com/2012-02-25/news/31098596_1_church-lawyers-abuse-complaints-priests/2.

⁴¹ Tom Roberts, *A Deep Look Into Philly's Clerical Culture*, National Catholic Reporter, 28 Feb. 2012, <http://nronline.org/blogs/ncr-today/deep-look-phillys-clerical-culture>.

of sexual violence by priests, even testifying at one point that he "saw no evidence at any time that we did any cover-up."⁴²

In the September submission, we submitted the reports of three separate Philadelphia Grand Jury investigations into the Philadelphia archdiocese as well as one of Bevilaqua's testimonies before the Grand Jury. See Exhibits C-14-17 annexed to the previous submission and pp. 22-29 of the Complaint discussing the contents of those reports. In the first Grand Jury report, the jurors noted that Bevilaqua had publicly declared in 2002 that he had a "zero tolerance" policy and never transferred any priest who had abused a child to another assignment where he would have access to children. That Grand Jury found otherwise:

We find that despite those identified risks, these Archdiocesan managers continued and/or established policies that made the protection of the Church from "scandal" more important than the protection of children from sexual predators. These policies were followed, even at the cost of giving priests who had not only been accused of, but in many cases admitted to, sexually assaulting children, access to untold thousands of additional innocent children. We find that Archdiocesan managers as a whole acted not to prevent the sexual abuse of children by priests but to prevent the discovery that such abuse had occurred.⁴³

The first Grand Jury observed that "the human toll of the Archdiocesan policies is staggering. Children suffered the horror of being sexually assaulted by priests" and "were then victimized a second time by an Archdiocesan administration that in many cases ignored, minimized or attempted to conceal their abuse."⁴⁴

The second Grand Jury documented additional evidence of priest-shifting and noted that the archdiocese's own records showed that one abusive priest was transferred so many times "they were running of places to send him where he would not already be known" and that Bevilaqua engaged in a practice of reciprocity with other bishops known as "bishops helping bishops" where he agreed to harbor accused priests in his diocese.⁴⁵

⁴² Martin, *supra* n. 40.

⁴³ Report of the Philadelphia Grand Jury, *In Re County Investigating Grand Jury*, MISC. NO. 01-00-89444, Philadelphia, PA (2001), at 1-2, available at http://www.bishop-accountability.org/reports/2003_09_25_First_Philadelphia_Grand_Jury_Report.pdf [Philly I].

⁴⁴ *Id.* at p. 3.

⁴⁵ Report of the Grand Jury, *In Re County Investigating Grand Jury*, MISC. NO. 03-00-239, at 2 (C. P. Philadelphia, 2003), at 5, 38, available at http://www.bishopaccountability.org/reports/2005_09_21_Philly_GrandJury/Grand_Jury_Report.pdf/.

- *New York*. In February, fourteen district attorneys whose counties are encompassed by the Albany diocese joined together to communicate their concerns about the diocese's handling of sexual abuse allegations.⁴⁶ This was the second time in ten years that the district attorneys of those counties have jointly raised concerns about these matters with the diocese. In 2002, the district attorneys issued recommendations with which the diocese agreed to comply. In the 29 February 2012 letter, the prosecutors disagreed with the diocesan counsel's claim that the diocese was fully in compliance with the 2002 recommendations made by prosecutors. The prosecutors also faulted the diocese with failing to "promptly" report "all" allegations to the appropriate district attorneys' office.

The D.A.s' letter followed on the heels of a notable trial last year of a priest who had worked in the Albany diocese and against whom complaints were made to diocesan officials in 2000 and 2008. The diocese never reported the allegations to appropriate authorities. When one of the now-adult victims learned that the priest was still working at a church affiliated with a school, he contacted the appropriate district attorney and recounted years of abuse by the priest. While the New York statute of limitations barred any charges against the priest, Massachusetts authorities were able to prosecute him as the offenses were not time-barred there.⁴⁷

The fourteen prosecutors proposed a strongly worded new Memorandum of Understanding that requires the diocese to "immediately notify" the appropriate District Attorney's Office with jurisdiction over the matter and even defines what is meant by "immediate notification," i.e. "the same day or next business day." The memorandum also prohibits the diocese from transferring or re-assigning the accused member of the clergy during the pendency of the state's investigation. The memorandum further prohibits the diocesan officials from investigating the matter themselves, including "screening" of cases for truth or falsity.

- *Wisconsin*. Also, in February, documents filed under seal in a bankruptcy proceeding of the Archdiocese of Milwaukee identified at least 8,000 instances of child sexual abuse and 100 alleged offenders that had not been previously identified by the archdiocese, though the archdiocese claims that it turns over all new claims of allegations involving living priests to the appropriate district attorney's office.⁴⁸ Attorneys for plaintiffs in the bankruptcy proceeding recently sought the release of nearly 50,000 pages of testimony from the former bishop and other church officials. The judge denied

⁴⁶ Brendan J. Lyons, *Clergy-abuse Reporting Under Fire From DAs*, The Times Union, 5 Mar. 2012. <http://www.timesunion.com/local/article/Clergy-abuse-reporting-under-fire-from-DAs-3380015.php#ixzz1oHBBCr3>. Letter from District Attorneys and Memorandum of Understanding (EXHIBITS [H-11](#), [H-11a](#)).

⁴⁷ *Id.*

⁴⁸ Annysa Johnson, *8,000 Instances of Abuse Alleged in Archdiocese Bankruptcy Hearing*, Milwaukee Journal Sentinel, 9 Feb. 2012, <http://www.jsonline.com/features/religion/archdiocese-bankruptcy-judge-allows-two-claims-to-stand-me44pue-139044534.html>.

their request to release the depositions but described them as containing "scandalous material."⁴⁹

- *U.S. Reports of Clergy Sexual Abuse Increased in 2011*. A report released yesterday revealed that the number of Catholic clergy accused of rape or sexual assault in the U.S. was 406, which rose by fifteen percent over the number of accused in 2010.⁵⁰ While many of the reports involved allegations that were decades old, there were reports by at least twenty-one people under the age of 19 who were assaulted in recent years.⁵¹

9. **Clarification of 2002 Norms and Vatican's Ongoing Refusal to Authorize Mandatory Reporting.** Finally, we would like to clarify and correct our previous submission with respect to the Essential Norms that went into effect in the U.S. 2002. In the September submission, we annexed the June 2002 Dallas Charter and Essential Norms adopted by the U.S. Conference of Catholic Bishops ("USCCB") as a response to the nation-wide scandal that broke out in the U.S. that year.⁵² That original version of the June 2002 norms would have required mandatory reporting to public authorities of any allegation. However, we inadvertently omitted the final version that was authorized by the Vatican and released in November 2002, which overruled the USCCB's proposed mandatory reporting requirement.⁵³

Norm 10 of the original June 2002 version would have mandated that: "The diocese/eparchy will report to the public authorities any allegation (unless canonically privileged) of sexual abuse of a person who is currently a minor." In October 2002, the Vatican dispatched a letter to the USCCB wherein it foreshadowed that the mandatory reporting would not stand:

[T]he application of the policies adopted at the Plenary Assembly in Dallas can be the source of confusion and ambiguity, because the 'Norms' and 'Charter' contain provisions which in some aspects are difficult to reconcile with the universal law of the Church. ... Questions ... remain concerning the concrete manner in which the procedures outlined in the 'Norms' and 'Charter' are to be applied in conjunction with the requirements of the Code of Canon Law and

⁴⁹ Annysa Johnson, *Judge Won't Unseal Documents in Milwaukee Archdiocesan Bankruptcy Case*, The Journal Sentinel, 5 Apr. 2012, <http://m.jsonline.com/more/news/146299095.htm>.

⁵⁰ Andrew Stern, *U.S. Catholic Church Says Child Abuse Cases Rose in 2011*, Reuters, 10 Apr. 2012, available at <http://www.newsmax.com/US/article/2012/04/10/id/435433>.

⁵¹ *Id.*

⁵² See Exhibit B-6 appended to September Submission. See also, <http://www.bishop-accountability.org/resources/resource-files/churchdocs/DallasCharter.pdf>.

⁵³ See, *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, Approved by the Congregation for Bishops, 8 Dec. 2002, available at <http://www.bishop-accountability.org/resources/resource-files/churchdocs/FinalNorms.htm> (EXHIBIT H-12) [hereinafter "Final Norms"].

the Motu proprio Sacramentorum sanctitatis tutela (AAS 93, 2001, p. 787).⁵⁴

A Mixed Commission, comprised of high-level Vatican officials and members of the USCCB, was convened in Rome in late 2002 to "reconcile" the June Charter and Norms with canon law. At this point, the Vatican deleted the mandatory reporting requirement from the original norms and replaced it with the watered-down Norm 11.⁵⁵ The norms in effect today still contain the Vatican's version of the reporting non-requirement.⁵⁶

This is significant for a number of reasons: First, the Vatican's refusal to mandate reporting by diocesan officials in the U.S. is consistent with its practice of invalidating mandatory reporting voluntarily adopted by bishops elsewhere. In our September submission, we included the aforementioned Framework Document adopted by the Irish bishops in 1996 as [Exhibit B-6](#). We also included a 1997 letter from the Vatican, channeled through the Vatican's embassy to Ireland, notifying the bishops that the "mandatory reporting" required by the Framework Document "gives rise to serious reservations of both a moral and a canonical nature" and appeared "contrary to the canonical discipline." See [Exhibit B-6\(a\)](#). The letter further put the bishops on notice that "[i]f such procedures were to be followed by the Bishops and there were cases of eventual hierarchical recourse lodged at the Holy See, the results could be highly embarrassing and detrimental to those same Diocesan authorities." The letter advised the Irish bishops that the Vatican Framework document was not an official document of the Episcopal Conference but merely a "study document."

This is in contrast to the position of Ireland's National Board for Safeguarding Children in the Catholic Church that the Framework Document applies and requires mandatory reporting, as noted above. More recently, as detailed in the February report of an Inquiry undertaken by the government of Victoria, Australia ("Cummins Report"), bishops there vigorously opposed extending mandatory reporting to religious personnel.⁵⁷

Secondly, as is clearly shown in our September submission as well as in the aforementioned situations in Philadelphia, Wisconsin, New York and Missouri,

⁵⁴ Letter from Cardinal Giovanni Battista Re, Prefect of the Vatican's Congregation of Bishops, to Bishop Wilton Gregory, head of the U.S. Conference of Catholic Bishops, 14 Oct. 2002, available at <http://www.bishop-accountability.org/resources/resource-files/churchdocs/Gregory.htm> (EXHIBIT H-13).

⁵⁵ Bishop Accountability, *Comparative Texts for November 2002 Meeting; Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, June 14, 2002 - October 29, 2002* (2003), <http://www.bishop-accountability.org/resources/resource-files/churchdocs/ComparativeText.htm>; see also Final Norms, *supra* note 53.

⁵⁶ Charter for the Protection of Children and Young People, USCCB, available at <http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/Charter-for-the-Protection-of-Children-and-Young-People-revised-2011.pdf> (EXHIBIT H-14).

⁵⁷ Cummins Report: Report of the Protecting Victoria's Vulnerable Children Inquiry by Government of Victoria, Australia (Feb. 2012), pp. 350-352, available at <http://www.childprotectioninquiry.vic.gov.au/images/stories/inquiry/consolidated%20%20protecting%20victorias%20vulnerable%20children%20inquiry%20report%2027%20january%202012.pdf> (EXHIBIT H-15).

high-ranking officials in U.S. dioceses are still failing to report, even where pressured to do so. This, as we have noted in our earlier submission, is despite the USCCB's characterizations of its norms as a "zero tolerance" policy and despite the Vatican's holding out the U.S. norms as a model for other national conferences. The recent developments noted above and cited in our September submission illustrate that even where there have been so-called reforms there are still reports of ongoing cover-up and priest-shifting.

We would also recall that the policy of protecting priests and institutional resistance to reporting to and cooperating with civil authorities can be discerned from a letter we included in the September submission, as Exhibit F-5, in which Cardinal Castrillon-Hoyos, with the approval of Pope John Paul II, commended French Bishop Pierre Pican for having "acted wisely" in not reporting an offending priest of his diocese who he knew had sexually assaulted at least ten boys and allowed him to remain in place. The letter indicated that it would be circulated to all national conferences of bishops to "encourage brothers in the episcopate in this delicate matter," i.e. to use Pican as a model of expected behavior.⁵⁸ This entrenched mentality and approach is also reflected in the comments of one of the persons named in the complaint, Tarcisio Bertone, who as mentioned above worked under Ratzinger at the CDF and who now works under him as Vatican Secretary of State:

In my opinion, the demand that a bishop be obligated to contact the police in order to denounce a priest who has admitted the offense of pedophilia is unfounded. Naturally civil society has the obligation to defend its citizens. But it must also respect the professional secrecy of priests, as it respects the professional secrecy of other categories, a respect that cannot be reduced simply to the inviolable seal of the confessional. If a priest cannot confide in his bishop for fear of being denounced, then it would mean that there is no more liberty of conscience.⁵⁹

The Pican letter and Bertone's statements combined with the refusal to usher in mandatory reporting and to reject it when the bishops agree to it at the national level reveals a total disregard for the authority of local governments and their obligations to protect the rights of children and adults to be free from such egregious forms of violence. It also illustrates the Vatican's clear authority and control over the matters, over-ruling those procedures the bishops devise and/or accede to in attempting to alter the culture of sexual violence created by the policies and practices that emanate from the Vatican hierarchy.

⁵⁸ See, September Submission at pp. 37-38.

⁵⁹ *Id.* at p. 37

10. ***Victim and Witness Retaliation, Harassment and Intimidation.*** Last, but certainly not least, we wish to alert you to a campaign of retaliation and harassment against SNAP undertaken by bishops in the U.S. since we filed the September submission with your office. The clearest indication that this campaign is intentional and in reaction to the Network's effort to hold high-ranking officials accountable for the system of sexual violence within the Church comes from a story reported in the New York Times quoting a prominent Catholic figure in the U.S. acknowledging that leading bishops "had resolved to fight back more aggressively against the group." He told the New York Times:

The bishops have come together collectively. I can't give you the names, but there's a growing consensus on the part of the bishops that they had better toughen up and go out and buy some good lawyers to get tough. We don't need altar boys.⁶⁰

That Catholic figure said that the bishops' targeting of the Network was justified because "SNAP is a menace to the Catholic Church."⁶¹ That Catholic figure has previously been acknowledged and thanked for his efforts by Cardinal Timothy Dolan of New York, head of the USCCB and the U.S.' most powerful and prominent cleric who was recently elevated by Pope Benedict to cardinal.⁶² Dolan has also endorsed and amplified that Catholic figure's characterization of SNAP's director David Clohessy as a "con artist."⁶³ Clohessy, whose childhood history of sexual violence at the hands of a Catholic priest is well known,⁶⁴ is himself a victim and advocate for others and a leading force for child protection and sexual abuse prevention. No cardinal or bishop in the U.S. has come forward to deny the Catholic figure's assertions of an effort among bishops to target the organization.⁶⁵

⁶⁰ Laurie Goodstein, *Church Puts Legal Pressure on Abuse Victims' Group*, New York Times, 12 Mar. 2012, <http://www.nytimes.com/2012/03/13/us/Catholic-church-pressures-victims-network-with-subpoenas.html> (EXHIBIT H-16); See also, National Catholic Reporter, *Editorial: SNAP Subpoenas Harm Key Ally for Victims*, 13 Jan. 2012, <http://ncronline.org/news/accountability/snap-subpoenas-harm-key-ally-victims>; Kansas City Star, *Editorial: Overturn Judge's Chilling Ruling in Priest Lawsuit*, Feb. 2012, <http://voices.kansascity.com/entries/overturn-judges-chilling-ruling-priest-lawsuit/>; The St. Louis Post-Dispatch, *Editorial: Bishops Target Victims' Advocacy Group in St. Louis, Kansas City*, 5 Jan. 2012, http://www.stltoday.com/news/opinion/columns/the-platform/editorial-bishops-target-victims-advocacy-group-in-st-louis-kansas/article_9afeff1c-13b5-513c-879f-b9b9e5d7d99d.html#ixzz1ibGgs14F.

⁶¹ Goodstein, *supra*.

⁶² Timothy Dolan, *Gratitude to the Catholic League*, The Gospel in the Digital Age, 11 Aug. 2011, <http://blog.archny.org/?p=1556>; See also, *Groups Condemn Appointment of Archbishop Dolan to Cardinal of New York*, Center for Constitutional Rights: Press Release, 16 Feb. 2012, <http://www.ccrjustice.org/newsroom/press-releases/groups-condemn-appointment-of-archbishop-dolan-cardinal-of-new-york>.

⁶³ Timothy Dolan, *Catholic League Reports on SNAP Deposition*, The Gospel in the Digital Age, 20 Mar. 2012, <http://blog.archny.org/?p=2384>.

⁶⁴ Bill Hewitt, *Breaking the Silence*, People Magazine Vol. 57, No. 12, 1 Apr. 2002, <http://www.people.com/people/archive/article/0,,20136711.00.html>.

⁶⁵ A spokesperson for the USCCB was merely quoted as saying "There is no national plan." See, Goodstein, *supra* n. 60.

The Catholic figure's comments were made in response to questions about a legal strategy adopted by church lawyers in a case in which they issued far-reaching and invasive subpoenas of SNAP files and the deposition of Clohessy. The subpoena strategy represents an aggressive effort by the church's lawyers to dig into 23 years of SNAP's files and correspondence by using the subpoena process in a case against priests accused of sexual abuse in two pending civil cases in Missouri. Church lawyers asserted allegations that SNAP had contact with the plaintiff about repressed memory syndrome and/or that the plaintiffs' attorney had violated a gag order about the case by providing a copy of a complaint to SNAP as a pretext for the attack and fishing expedition. The judge allowed the subpoena to stand and ordered Clohessy's deposition and also ordered that the organization hand over documents and correspondence dating back 23 years, including emails, press releases, drafts of press releases, and any correspondence with members of the press, lawyers, police, prosecutors and the public, if that correspondence mentions the dioceses, bishops, priests, defendants or accusers, or any document that mentions "repressed memory."

It is very telling about the church's real motives in deposing SNAP's director that of more than 700 questions posed by the church's lawyers, less than three percent of them concerned the accused or the case against him, which was the purported reason for the deposition and discovery demand. None of the lawyers representing the bishop, the accused priest or other diocesan officials ever asked Clohessy whether he had any connection to or communication with the plaintiff/alleged victim, another purported basis for the discovery demand. At the very end of the deposition, Clohessy's own attorney asked him whether he had ever had any contact with the plaintiff/alleged victim in the case, to which Clohessy answered he had not.

Clohessy was deposed for more than six hours and refused to answer many of the questions. SNAP is also fighting against an effort to compel it to produce confidential information. The efforts by the church lawyers risk exposing confidential information about victims of sexual violence, their loved ones and witnesses, whistleblowers, police, prosecutors and journalists, and have had a chilling effect on survivors who turn to SNAP for support, most of whom rely on the promised confidentiality of the organization.

In addition to arguments that SNAP's records should be accorded the same deference and protections as other rape crisis organizations, ten victims' advocacy groups (including the Foundation to Abolish Child Sexual Abuse, the Kid Safe Foundation and the National Child Protection Training Center) filed an amicus brief in the case supporting SNAP's efforts to defend itself against the invasive discovery request. The brief compares the order to compel SNAP's production of documents and information to a historic U.S. case brought by the National Association for the Advancement of Colored People (NAACP) against the state of Alabama in which the NAACP fought against the state's demand for disclosure of their membership that would have "exposed these members to economic reprisal, loss of employment, threat of physical coercion, and other manifestations of public hostility." The brief asserted that likewise, if the discovery of SNAP's

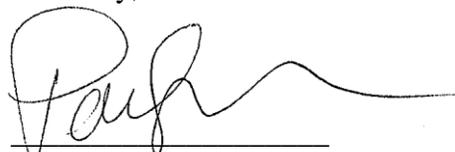
records is permitted survivors and witnesses of sexual abuse will no longer feel safe “approaching SNAP in confidence.” Moreover, the legal costs in fighting against such invasive and overly aggressive legal strategies could destroy an organization as modestly funded as SNAP, all of which was clearly the point of the church's efforts in the first place.

The actual deposition of Mr. Clohessy and the Catholic figure's acknowledgment of the legal strategy as targeting SNAP clearly prove what SNAP said all along was true: that the purported bases for the subpoena were a pretext. In light of that, it is clear that the use of the subpoena and discovery procedures in this instance constitutes an abuse of the judicial process in that forum. We believe it should also be viewed as an offense against the administration of justice in violation of Art. 70 of the Rome Statute for purposes of this forum, as an effort to corruptly influence and/or retaliate against a victim or witness.

As these developments make clear, the policies and practices of concealment and enabling of these offenses are not a thing of the past, nor are the practices of victim-blaming. They are still very much in effect today. The situations in Philadelphia, New York, and Missouri in the U.S., and seven dioceses in Ireland, demonstrate that many of the same policies and practices that have been identified in multiple commissions of inquiry and grand juries are still being followed behind the veil of so-called reforms -- whether the 'zero tolerance' policy ostensibly adopted by U.S. bishops or the Framework Document applicable to Irish bishops. The situation increasingly coming to light in Poland is undoubtedly representative of many places where the Church wields powerful influence and victims face even greater risks of backlash, alienation and deepening trauma. Moreover, the enormous outpouring from victims, witnesses, whistleblowers and supporters from 65 countries in the wake of the filing, demonstrates that there are victims around the world who need the intervention of an international court to help ensure accountability and, not least, to bring an end to a system that continues to enable such egregious crimes against children and vulnerable adults.

On behalf of our client, the Survivors Network of those Abused by Priests, we thank you in advance for your attention to this ongoing and urgent matter.

Sincerely,



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**List of Appendices Annexed to Art. 15 Communication
Submitted by the Center for Constitutional Rights
on behalf of
The Survivors Network of those Abused by Priests
No. OTP-CR-159/11**

(updated to reflect exhibits to supplemental filing of 11 April 2012
with all documents hyperlinked)

**Exhibit
No.**

Document Title

Appendix A – Expert Declarations

- A-1** Expert Opinion by Thomas P. Doyle
- A-2** Curriculum Vitae of Thomas P. Doyle
- A-3** Expert Opinion by Patrick J. Wall
- A-4** Curriculum Vitae of Patrick J. Wall

Appendix B – Vatican and National Conference Documents

- B-1** **1741 Sacramentum Poenitentiae**
Constitution Sacramentum Poenitentiae, 1 June 1741, in *Codex Iuris Canonici, Documenta*, Document V in AAS 9 (1917), Part II, 505-508.
- B-2** **1866 Pope Pius IX Instruction**
Sacred Congregation of the Holy Office Instruction, *Codex Iuris Canonici* Vol. 5, Curia Romana, 20 Feb. 1866.
- B-3** **1917 Instruction**
Codex Iuris Canonici (1917), *Providentissima Mater Ecclesia*, Pope Benedict XV, 27 May 1917.
- B-4** **1922 Instruction**
1922 Instruction, On the manner of proceeding in cases of the crime of solicitation (*Instructio de modo procedendi in causis sollicitationis*), Vatican Polyglot Press (Rome, 1922).
- B-5** **1962 Instruction - (*Crimen* or *Crimen Sollicitationis*)**
Instruction on the Manner of Proceeding in Cases of Solicitation, *The Decree Crimen Sollicitationis*, The Vatican Press, 16 Mar. 1962.

B-6 Framework Report

Child Sexual Abuse: Framework for a Church Response, Report of the Irish Catholic Bishops' Advisory Committee on Child Sexual Abuse by Priests and Religious, Veritas Publications (Dublin, 1996).

Exhibit B-6(a): Confidential Letter by Archbishop Luciano Storero, Apostolic Nuncio to Ireland, to the Members of the Irish Episcopal Conference, Regarding the Framework Document, 31 Jan.1997.

B-7 SST Letter

Apostolic Letter Given *Motu Proprio* re: *Sacramentorum Sanctitatis Tutela*, Pope John Paul II, 30 April 2001. (Also annexed in Italian and Portuguese).

B-8 *The Norms of Motu Proprio, Sacramentorum Sanctitatis Tutela*, Historical Introduction, Congregation for the Doctrine of Faith (2001).

B-9 *Letter from Congregation for the Doctrine of the Faith to Bishops of the Entire Catholic Church, et al, Regarding the More Serious Offenses reserved to the Congregation for the Doctrine of the Faith*, 18 May 2001.

B-10 *Sacramentorum Sanctitatis Tutela* (2001 with 2003 changes), Congregation for the Doctrine of the Faith, 2003.

B-11 Dallas Charter (2002)

Charter for the Protection of Children and Young People (Dallas Charter), United States Conference of Catholic Bishops, June 2002.

Exhibit B-11(a): Early Draft of the Dallas Charter, Draft: Charter for Protection of Children and Young People (4 June 2002).

Exhibit B-11(b): Bishop Wilton Gregory's statement on the Charter - Liane Hansen, John Ydstie, and Duncan Moon, *Analysis: U.S. Conference of Bishops Overwhelming Votes to Accept New Charter with Regards to Sexual Abuse of Minors*, 14 June 2002.

Exhibit B-11(c): Statements by other Bishops - Catherine Callaway, CNN News Anchor Live from Dallas, Church Votes for New Abuse Rules, CNN, 14 June 2002.

Exhibit B-11(d): Dallas Norms -Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests, Deacons, or Other Church Personnel, Approved by USCCB, 14 June 2002, for recognition by the Holy See.

B-12 Letter from CDF to Bishops on SST Changes (May 21, 2010)

Letter from Congregation for the Doctrine of the Faith to the Bishops of the Catholic Church and to the Ordinaries and Hierarchs, regarding the modifications introduced in the Normae de gravioribus delictis, William Cardinal Levada & Luis F. Ladaria, S.I.I. (21 May 2010).

B-13 Norms on *delicta graviora* currently in force (approved by the Holy Father Benedict

XVI on 21 May 2010). (Also annexed in French, German, Italian, Polish, Portuguese, and Spanish).

- B-14** *Circular letter to assist Episcopal Conferences in developing Guidelines for dealing with cases of sexual abuse of minors perpetrated by clerics, Congregation for the Doctrine of the Faith*, signed by William Cardinal Levada, Prefect and Luis F. Ladaria, S.J. Tit. Archbishop of Thibica Secretary on 3 May 2011. (Also annexed in French, German, Italian, Portuguese, and Spanish).

Appendix C – Governmental and Inter-governmental Reports of Commissions, Grand Juries, and Attorneys General

- C-1** **Canada – Hughes Report**
Report of Royal Commission of Inquiry into the Response of the Newfoundland Criminal System to Complaints (Newfoundland, Canada, 1989).
- C-2** **Ireland – Ferns Report**
The Ferns Report, Presented to the Minister for Health and Children (Dublin: Government Publications, 2005).
- C-3** **Ireland – Ryan Report**
The Ryan Report on Irish Residential Institutions, The Commission to Inquire into Child Abuse, Dublin, Ireland (20 May 2009).
- C-4** **Ireland – Murphy Report**
Commission of Investigation: Report into the Catholic Archdiocese of Dublin (26 Nov. 2009).
- C-5** **Ireland – Cloyne Report**
Report into the Diocese of Cloyne, Commission of Investigation, 23 Dec. 2010, released 13 July 2011.
- C-6** **United States – Westchester Grand Jury Report**
Report of the Westchester County (New York) Grand Jury Concerning Complaints of Sexual Abuse and Misconduct Against Minors by members of the Clergy, 19 June 2002.
- C-7** **United States – Suffolk Grand Jury Report**
Grand Jury Report, Suffolk County (New York) Supreme Court, Special Grand Jury Term 1D, May 6, 2002, 17 Jan. 2003.
- C-8** **United States – New Hampshire**
Report on the Investigation of the Diocese of Manchester, New Hampshire. Attorney General of the State of New Hampshire, Jan. 2003.
- C-9** **United States - New Hampshire**
Agreement Between the State of N.H. and the Diocese of Manchester, *In re Grand Jury*

Proceedings, No. 02-S- 1154, N.H. Super. Ct., at 2-7 (Dec. 10, 2002).

Exhibit C-9(a): The Manchester Archives - approximately 9,000 pages of documents on CD-Rom released by the Attorney General of NH.

C-10 United States – Boston

The Sexual Abuse of Children in the Roman Catholic Archdiocese of Boston, Office of the Attorney General (2003).

C-11 *Ford v. Law*

Gregory Ford, et al, v. Bernard Cardinal Law, et al, Commonwealth of Massachusetts, Superior Court, Suffolk County Civil Action No. 02-04SS1-TI, *Plaintiffs' Memorandum of Law In Support of Motion in Limine to Admit Evidence of Practices and Policies of the Roman Catholic Archbishop of Boston, A Corporation Sole, Concerning Sexually Abusive Priests Other Than Paul R. Shanley*, filed July 21, 2003.

Exhibit C-11(a): CD-Rom containing approximately 1,791 pages of exhibits annexed to Plaintiffs' Motion

C-12 United States – Arizona

Agreement between the State of Arizona, Maricopa County Attorney, and the Bishop of the Roman Catholic Diocese of Phoenix, 3 May 2003.

C-13 United States – Maine

Report of the Attorney General of Maine, On the Allegations of Sexual Abuse of Children by Priests and Other Clergy Members Associated with the Roman Catholic Church, 24 Feb. 2004.

C-14 United States - Philadelphia Grand Jury I

Report of the Philadelphia Grand Jury, *In Re County Investigating Grand Jury*, MISC. NO. 01-00-89444, Philadelphia, PA (2001).

C-15 United States - Philadelphia Grand Jury II

Report of the Grand Jury, *In Re County Investigating Grand Jury*, MISC. NO. 03-00-239, (2003).

C-16 United States - Philadelphia Grand Jury III

Report of the Philadelphia Grand Jury, *In Re County Investigating Grand Jury XXIII*, MISC. No. 0009901-2008, Philadelphia PA, 23 Jan. 2011.

C-17 United States - Philadelphia

Commonwealth of Pennsylvania v. Charles Engelhardt, et al, In the Court of Common Pleas of Phil., Trial Div., Criminal Section, CP-51-CR-0003525-2011, *Commonwealth's Answer to Defendants' Omnibus Pretrial Motions*, 22 July 2011.

Exhibit 17(a): Answer Appendices, including the testimony of Anthony Cardinal Bevilacqua.

- C-18 United States - Hamilton County Cincinnati, OH Settlement**
Settlement Agreement between Archdiocese of Cincinnati and the Hamilton County Prosecuting Attorney, 20 Nov. 2003.
- C-19 Council of Europe Report**
Child Abuse in Institutions: Ensuring Full Protection of the Victims, Marlene Rupprecht, Special Rapporteur to the Social, Health and Family Affairs Committee of the Parliamentary Assembly of the Council of Europe, Doc. 12358 (20 Sept. 2010).
- C-20** United Nations, Concluding observations of the Committee against Torture: Ireland, 56th Sess., ¶ 20, U.N. Doc. CAT/C/IRL/CO/ (7 Jun. 2011).
- C-21** *Assessment of the Human Rights Issues Arising in Relation to the "Magdalene Laundries,"* Irish Human Rights Commission (Nov. 2010).

Appendix D – Church Commissioned and Non-Governmental Reports

- D-1 Germany: Munich-Freising Report – Central Points (English)**
Marion Westpfahl, Central Points of Appraisal Report, *Sexual and Other Physical Assaults by Priests, Deacons and Other Pastoral Workers in the Field of Jurisdiction of the Archdiocese of Munich and Freising Between 1945 and 2009* (2010).
- **Exhibit D-1(a):** Central points of the appraisal report Sexual and other physical assaults by priests, deacons and other pastoral workers in the field of jurisdiction of the Archdiocese of Munich and Freising between 1945 and 2009. (German)
 - **Exhibit D-1 (b):** Statement by the Archbishop of Munich and Freising, Cardinal Reinhard Marx, at the press conference on abuse on 3 Dec. 2010. (English)
 - **Exhibit D-1(c):** Statement by the Archbishop of Munich and Freising, Cardinal Reinhard Marx, at the press conference on abuse on 3 Dec. 2010. (German)
- D-2 Belgium - 'Adriaenssens' Report**
Commissie voor de Behandeling van Klachten Wegens Seksueel Misbruik in Een Pastorale Relatie [Dutch Commission for Dealing with Complaints of Sexual Abuse in a Pastoral Relationship] (2010).
- **Exhibit D-2(a):** *Open Wounds of the Catholic Church*, excerpts of Adriaenssens report translated.
 - **Exhibit D-2(b):** Machine Translation Part of Adriaenssens Report.
 - **Exhibit D-2(c):** Parliament, Special Commission On The Treatment Of Sexual Abuse And Facts Pedophilia In Relationship Of Authority In Particular Church, 1 Dec. 2010.
- D-3 United States - "John Jay Report I"**

Karen Terry et al., *The Nature and Scope of the Problem of Sexual Abuse of Minors by Priests and Deacons*, prepared by John Jay College of Criminal Justice, United States Conference of Catholic Bishops (2004).

D-4 United States - "John Jay Report II"

Karen Terry et al., *The Causes and Context of Sexual Abuse of Minors by Catholic Priests, 1950-2010*, John Jay College of Criminal Justice, United States Conference of Catholic Bishops (2011).

D-5 Canada - "Winter Commission"

Gordon A. Winter, *The Report of the Archdiocesan Commission of Enquiry into the Sexual Abuse of Children by Members of the Clergy* (Archdiocese of St. John's, Canada, 1990).

D-6 England and Wales - "Nolan Report"

Lord Nolan, *A Programme for Action: Final Report of the Independent Review on Child Protection in the Catholic Church in England and Wales*, Catholic Bishops' Conference of England and Wales (2001).

D-7 England and Wales - "Cumberlege Commission Report"

Julia Cumberlege, *Safeguarding with Confidence – Keeping Children and Vulnerable Adults Safe in the Catholic Church*, The Cumberlege Commission Report (2007).

Appendix E – Documents Related to Individual Defendants

E-1 The Teta Letters

The Daily Dish, *Ratzinger and the Cases of Father Teta and Father Trupia*, THE ATLANTIC, 2 April 2010.

Exhibit E-1(a):

- Letter from Joseph Cardinal Ratzinger, Prefect of the Congregation for the Doctrine of the Faith, to Reverend Manuel D. Moreno, Bishop of Tucson (8 June 1992).
- Letter from Congregation for the Doctrine of the Faith to Rev. Manuel D. Moreno, Bishop of Tucson (1 Feb. 1994).
- Letter from Rev. Manuel D. Moreno, Bishop of Tucson, to Joseph Cardinal Ratzinger, Prefect of the Congregation for the Doctrine of the Faith (3 Mar. 1994).
- Letter from Rev. Gregory Ingels, Archdiocese of San Francisco, to Cardinal J. Ratzinger, Prefect of the Congregation for the Doctrine of the Faith (24 Jan. 1995).
- Letter from Rev. Tarcisio Bertone, Congregation for the Doctrine of the Faith, to Rev. Manuel D. Moreno, Bishop of Tucson (28 May 1996).
- Letter from Rev. Manuel D. Moreno, Bishop of Tucson, to Cardinal Joseph Ratzinger, Prefect of the Congregation for the Doctrine of the Faith (14 June 1996).

- Letter from Rev. Albert E. Verbrugghe, Presiding and Recording Judge, Diocese of Tucson, to Joseph Cardinal Ratzinger, Prefect of the Congregation for the Doctrine of the Faith (April 28, 1997).
- Letter from Reverend Manuel D. Moreno, Bishop of Tucson, to Joseph Cardinal Ratzinger, Prefect of the Congregation for the Doctrine of the Faith (28 Apr. 1997).

E-2 The Trupia Letter

Letter from Rev. Manuel D. Moreno, Bishop of Tucson, to Rev. Dario Castriollon Hoyos, Congregation for the Clergy (22 Dec. 1997).

E-3 The Kiesle Letters

- Letter of Rev. Louis Dabovich, Pastor, Church of the Good Shepherd, to Franjo Cardinal Seper, Cardinal Prefect of the Sacred Congregation for the Doctrine of the Faith (25 Apr. 1981).
- Letter from Rev. George E. Crespin, Chancellor, Archdiocese of Oakland, to Franjo Cardinal Seper, Cardinal Prefect of the Sacred Congregation for the Doctrine of the Faith (8 May 1981).
- Letter from John S. Cummins, Bishop of Oakland, to the Holy Father (19 June 1981).
- Letter from the Congregation for the Doctrine of the Faith to Rev. John Cummins (17 Nov. 1981).
- Letter from Rev. John S. Cummins, Bishop of Oakland, to Cardinal Joseph Ratzinger, Congregation for the Doctrine of the Faith (1 Feb. 1982).
- Letter from Rev. George E. Mockel, Officialis, Tribunal Diocese of Oakland, to Joseph Cardinal Ratzinger, Prefect, Sacred Congregation for the Doctrine of the Faith (24 Sept. 1982).
- Inter-Office Memo from George Mockel, Diocese of Oakland, to Bishop John Cummins, Bishop of Oakland (20 Dec. 1983).
- Letter from Bishop John Cummins, Bishop of Oakland, to Rev. Thomas J. Herron, Congregation for the Doctrine of the Faith (17 Jan. 1984).
- Letter from Bishop John Cummins, Bishop of Oakland, to Joseph Cardinal Ratzinger, Prefect, Sacred Congregation for the Doctrine of the Faith (13 Sept. 1985).
- Letter from Rev. George E. Mockel, Officials, Tribunal Diocese of Oakland, to Most Reverend Pio Laghi, Apostolic Delegate (27 Sept. 1985).
- Inter-Office Memo from George Mockel, Diocese of Oakland, to Bishop John Cummins, Bishop of Oakland (with had written follow-up letter to Ratzinger attached) (17 Sept. 1985).
- Letter from Joseph Cardinal Ratzinger, Prefect, Sacred Congregation for the Doctrine of the Faith [Latin with English translation], to Rev. mo Domino (6 Nov. 1985).
- Inter-Office Memo from George Mockel, Diocese of Oakland, to Bishop John Cummins, Bishop of Oakland (12 Dec. 1986).
- Letter from George Mockel, Diocese of Oakland, to Steve Kiesle, petitioner

for laicization (13 Jan. 1986).

E-4 The Campbell Letters

- Letter of Bishop Daniel Ryan, Diocese of Springfield Illinois, to Cardinal Joseph Ratzinger, Congregation for the Doctrine of the Faith (6 Feb. 1989).
- Letter of Cardinal Joseph Ratzinger, Congregation for the Doctrine of the Faith, to Bishop Daniel Ryan, Diocese of Springfield Illinois (3 July 1989).

E-5 The Murphy Documents

- Letter from Bishop Rembert Weakland to Cardinal Gilberto Agustoni, Prefect of the-Supreme Tribunal of the Apostolic Signatura (10 Mar. 1997).
- Letter from Lawrence Murphy, Accused Priest, Diocese of Milwaukee, to Cardinal Joseph Ratzinger, Congregation for the Doctrine of the Faith (12 Jan. 1998).
- Letter from Monsignor Tarcisio Bertone, to Rev. Raphael Michael Fliss (6 Apr. 1998); Letter from Rev. Raphael M. Fliss, to Monsignor Tarcisio Bertone (13 May 1998).
- Letter from Monsignor Tarcisio Bertone to Bishop Rembert Weakland (13 July 1998).
- Letter from Bishop Rembert Weakland, to Monsignor Tarcisio Bertone (19 Aug. 1998).
- Letter from Bishop Rembert Weakland, to Rev. Tarcisio Bertone (2 Sept. 1998).
- Letter from Bishop Rembert Weakland, to Rev. Agostino Cacciavillan (2 Sept. 1998).
- Letter from Bishop Rembert Weakland (10 Sept. 1998).
- Letter from Rev. Tarcisio Bertone, to Bishop Rembert Weakland (28 Sept. 1998).
- Laurie Goodstein, *Vatican Declined to Defrock U.S. Priest Who Abused Boys*, NY TIMES, 24 Mar. 2010 (with featured documents).
- Flier and petition from Former Students of Father Murphy at St. John's School for the Deaf (1974).

E-6 The Maciel Documents

- Letter from Juan Vaca, sexual violence survivor, to Father Marcial Maciel, Priest Perpetrator and Legion of Christ founder (20 Oct. 1976).
- Letter from Juan Vaca, sexual violence survivor, to Pope John Paul II (28 Oct. 1989).

E-7 The Becker Letters

- Letter from Bishop Timothy Dolan to Cardinal Joseph Ratzinger (27 May 2003).
- Letter from Chancellor Barbara Anne Cusack to Archbishop Gabriel Montalvo (31 May 2003).

- Letter from Angelo Amato, Congregation for the Doctrine of the Faith, to Bishop Timothy Dolan (20 Oct. 2003).
- Letter of Barbara Anne Cusack to Rev. Gabriel Montalvo (1 Dec. 2003).
- Letter of Archbishop Gabriel Montalvo, Apostolic Nunciature, to Barbara Anne Cusack (6 Dec. 2003).

E-8 McGuire

John Does 117 and 118 v. The Chicago Province of the Society of Jesus a/k/a The Jesuits and Father Donald J. McGuire, S.J., County Department, Law Div., Cook County, Ill., No.07-L-11952, Plaintiffs' Motion to Add Prayer for Relief Seeking Punitive Damages, 28 Mar. 2011, with exhibits.

Appendix F – Documents Related to Individual Situations and Cases Showing Conspiracy, Cover-Up, & Obstruction

F -1 Documents in the Case of Rita

- **Exhibit F-1(a):** Rita's Plane Ticket to Manila
- **Exhibit F-1(b):** Letters from LA Diocese, to Edward Tamayo, Perpetrator Priest (15 June 1984; 28 Dec. 1987; 28 Aug. 1988).
- **Exhibit F-1(c):** Patt Morrison, *Priest in Sex Scandal was Advised to Stay out of U.S.*, L.A. TIMES (28 Mar. 1991), at A1.
- **Exhibit F-1(d):** Alex Tresniowski, *Unholy Fathers*, PEOPLE MAGAZINE, 3 June 2002, at Vol. 57, No. 21.

F -2 Weakland Deposition and Exhibits

John Doe 1 et al. vs. Archdiocese of Milwaukee, Cir. Crt. Of Milwaukee County, WI., No., Depo. of Archbishop Rembert G. Weakland (5-6 June 2008), with exhibits.

F -3 Green Bay

Troy J. Merryfield and Todd D. MerryField vs. Catholic Diocese of Green Bay, Inc., Motion to Prevent Document Destruction (15 Nov. 2010), Cir. Crt., Civ. Div., WI., No. 2008 – CV -0000001.

F -4 Address of Pope John Paul II to the Conference of Austrian Bishops (21 June 1998).

F -5 Pican Letter

Letter by Cardinal Castrillón Hoyos, Head of the Congregation for the Clergy, to SE Mgr. Pierre Pican, Bishop of Bayeux-Lisieux (8 Sept. 2001) [French].

- **Exhibit F-5(a):** English translation of the letter.

F - 6 *A Series: Runaway Priests Hiding in Plain Sights*, DALLAS MORNING NEWS (20 -23 June 20-23, 2004 and 12 Sept. 2004).

F - 7 Alessandra Rizzo And Bradley Brooks, *Predator Priests Shuffled around Globe: Victim: Transfer of Abusive Clerics was Called 'The Geographical Cure,'* A.P., updated

14 Apr. 2010.

- F -8** John L. Allen Jr. And Pamela Schaeffer, *Reports of Abuse: AIDS Exacerbates Sexual Exploitation of Nuns, Reports Allege*, NAT'L CATHOLIC REP'ER, 16 Mar. 2001.

Appendix G – The New Cases

- G-1** Complainant Megan Peterson – Correspondence to Levada 2005-12-07
- G-2** Complainant Megan Peterson - Correspondence to CDF
- G-3** Complainant Megan Peterson – Correspondence to CDF
- G-4** Complainant Megan Peterson – Balke email
- G-5** Complainant Megan Peterson – CDF 1st response Amato to Balke
- G-6** Complainant Megan Peterson – Interpol Red Notice
- G-7** Complainant Megan Peterson – Ootacamund Diocesan Newsletter
- G-8** Complainant Megan Peterson – Samy letter to Balke
- G-9** Complainant Benjamin Kitobo - Article in DeMorgen (29 Jan 2011).
- G-10** Complainant Benjamin Kitobo - Kanzenze Location

Appendix H – Exhibits to Supplemental Filing of 12 April 2012

- H-1** *In Plain Sight: Responding to the Ferns, Ryan, Murphy and Cloyne Reports*, Amnesty International Ireland (2011)
- H-2** Report Into the Diocese of Cloyne Report, Chapter Nine, Commission of Investigation, 23 Dec. 2010, released Dec. 2011
- H-3** *Safeguarding Review of Six Dioceses*, National Board for Safeguarding Children in the Catholic Church, Nov. 2011
- H-4** Report of Commission of Inquiry into Sexual Abuse of Minors in the Roman Catholic Church (Netherlands, Deetman Report), 16 Dec. 2011
- H-5** Deetman Report, Executive Summary (English)
- H-6** Robert Chesal, *Time for the Truth about Catholic Sex Abuse in the Netherlands*, Radio Netherlands Worldwide, 19 Mar. 2012
- H-7** Jonathan Luxmoore, *Polish Church Faces Demands to Confront Sex Abuse*, National Catholic Reporter, 13 Jan. 2012

- H-8** Jonathan Luxmoore, *Clerical Power Thwarts Victims in Poland*, National Catholic Reporter, 8 Feb. 2012
- H-9** The Will Not to Know, Archive of International Vatican Documents Linked to Maciel Case
- H-10** *Commonwealth of Pennsylvania v. William Lynn*, No. CP-51-CR-0003530-2011, Defendant William Lynn's Motion to Dismiss, with Exhibits
- H-11,** Letter from 14 District Attorneys to Bishop of Albany Diocese and Memorandum of
H-11a Understanding
- H-12** *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, Approved by the Congregation for Bishops, 8 Dec. 2002
- H-13** *Letter from Cardinal Giovanni Battista Re, Prefect of the Vatican's Congregation of Bishops, to Bishop Wilton Gregory, head of the U.S. Conference of Catholic Bishops*, 14 Oct. 2002
- H-14** *Charter for the Protection of Children and Young People*, USCCB
- H-15** *Cummins Report: Report of the Protecting Victoria's Vulnerable Children Inquiry by Government of Victoria, Australia* (Feb. 2012)
- H-16** Laurie Goodstein, *Church Puts Legal Pressure on Abuse Victims' Group*, New York Times, 12 Mar. 2012