

WORLD & NATION

U.S. church paves way for Vatican abuse norms

By Jerry Filteau
Catholic News Service

WASHINGTON —The Vatican's new worldwide norms for criminal procedures in the church's handling of sexual abuse of minors by priests are remarkably similar to special norms the U.S. bishops pushed for and received in the 1990s.

The world's bishops learned of new Vatican norms last summer through a letter from the Vatican Congregation for the Doctrine of the Faith explaining their content. That letter became public in December when Catholic News Service obtained a copy and wrote a story on it.

In January the letter from Pope John Paul II promulgating the norms was published in the *Acta Apostolicae Sedis*, the Vatican's official periodical. The papally approved norms themselves were not published as part of the letter, so the only publicly available description of their content comes from last year's letter to bishops from the doctrinal congregation.

That letter spelled out eight ecclesiastical crimes that fall under the congregation's exclusive jurisdiction: four crimes against the Eucharist or the eucharistic sacrifice, three crimes by a priest against the sacrament of penance, and the crime of a priest engaging in sexual activity with a minor.

Civil law ordinarily would not be concerned with the first seven types of church crime cited in the letter, but sexual abuse of a minor is a crime in civil law as well. The Vatican and special-U.S. norms only address how the church handles such cases, not how they are dealt with by the state.

In January an informed Vatican source told CNS that the doctrinal congregation intends to allow the U.S. bishops to continue following the special U.S. norms with regard to diocesan priests accused of sexual abuse of minors, but if a U.S. priest in a religious order faces such an accusation, his case will be handled under the new Vatican norms.

The U.S. norms grew out of a concern by the nation's bishops that some aspects of church law sharply limited their ability

to deal adequately with some priests who had sexually abused minors.

For example, church law defines a minor as someone under the age of 16, while anyone under 18 is a minor in U.S. law. If a priest engaged in sexual relations with a 16-year-old, he could face statutory rape charges in the state, but under general church law his action would not be a crime — a serious sin, but not a crime.

One of the special norms the U.S. bishops obtained in 1994 was a provision that church penalties for clerical sexual abuse of a minor apply up to the age of 18.

One of the new Vatican norms does the same thing. Throughout the world now, any priest who sexually abuses anyone under 18 is subject to church trial and punishment for such an act.

For all other purposes, church law continues to regard 16 as the age of majority.

Like civil law, church law has a statute of limitations prohibiting prosecution or the imposition of penalties for a crime committed many years earlier.

For most ecclesiastical crimes, prosecution must be initiated within three years under general church law; for some especially grave crimes, including homicide, kidnapping and clerical sexual abuse of a minor, it is five years. The Code of Canon Law has an exception clause allowing a different statute of limitations to be set for crimes reserved to the Congregation for the Doctrine of the Faith.

Because sexually abused children often repress their memories of the experience or are too traumatized to speak about it for many years, many U.S. states have modified their statutes of limitations for those crimes. In some states the time clock does not start to tick until the abused child, as an adult, remembers the abuse.

The U.S. bishops sought a special provision allowing them to try a cleric accused of sexually abusing a minor up until the victim's 23rd birthday or until two years after the bishop first "receives information which at least seems to be true" alleging such abuse. The 23rd birthday clause would use the five-year limitation on such crimes given in the Code of



Karen Callaway/CNS

A prayer and a bead

Jason Corral strings rosary beads at St. Mary School in East Chicago, Ind. His preschool class was making rosaries in early January to send to Carmelite Sister Lucia dos Santos, the only surviving Fatima visionary, in Portugal.

Canon Law, but it would delay the start of the time clock until the child became an adult at age 18. The bishops' other proposal, allowing even later prosecution if the first accusation came later, would deal with the possibility that a repressed memory of childhood abuse may not surface until much later in the victim's life.

The pope accepted the U.S. proposal only in a modified way. As approved, the special norms for the United States permit prosecution up to the victim's age of 28 — 10 years after reaching adulthood. A transitional norm allows prosecution up to the victim's age of 23 for those crimes committed before the new norms took effect.

The U.S. norms also include a special provision for crimes first reported within the final year of the statute of limitations: If reported between the victim's 27th and 28th birthday, the crime can be prosecuted for up to a year after it is first reported.

There is no further extension, however, for allegations that surface more than 10 years after the victim has become an adult.

Following the precedent set by the special U.S. norms, the new Vatican norms provide a 10-year statute of limitations for all crimes reserved to the doctrinal congregation.

Also following the U.S. precedent, the new Vatican norms add a provision that the statute of limitations does not begin to run until the victim's 18th birthday for clerical sexual crimes with a minor. The Vatican norms do not incorporate the U.S. provision for crimes reported in the final year before the victim's 28th birthday.

Pope John Paul approved the special U.S. norms for a five-year period in 1994, beginning April 25 of that year. When that period was about to expire, he approved a 10-year extension, making them effective until April 24, 2009.

Lefebvre followers return

By Cindy Wooden
Catholic News Service

VATICAN CITY — Brazilian followers of the late Archbishop Marcel Lefebvre formally returned to full communion with the Catholic Church during a Jan. 18 ceremony in Brazil that included a profession of faith and an explicit acceptance of the teachings of the Second Vatican Council.

In a formal letter read at the ceremony in Campos, Brazil, Pope John Paul II said, "It is with great joy that, in order to make the full communion effective, I declare the remission of the censure" against the group's bishop as well as the removal of any censures incurred by priests and faithful associated with the Priestly Association of St. John Vianney.

The letter, addressed to the group's leader, Bishop Liciano Rangel, said, "The unity of the church is a gift which comes to us from the Lord, pastor and head of the mystical body, but which, at the same time, requires the effective response of each of its members."

Pope John Paul said Bishop Rangel and his followers, almost all of whom live within the Diocese of Campos, had taken the necessary steps to return to full communion with the universal church.

The pope also said he was establishing an apostolic administration, similar to a

diocese and with the same boundaries as the Diocese of Campos, that would "confirm respect for your uniqueness" and would include permission for the priests and faithful to continue using the pre-Vatican II liturgical rites.

Bishop Rangel was named head of the apostolic administration.

Cardinal Dario Castrillon Hoyos, president of the Pontifical Commission "Ecclesia Dei," established by the pope in 1988 to foster communion with sympathizers of Archbishop Lefebvre, presided over the ceremony. The Vatican press office published the texts of Pope John Paul's letter to the Brazilians and of Cardinal Castrillon's homily.

In his homily, the cardinal said Pope John Paul was standing before them with the "open arms" of a "universal embrace."

"It is true that times are not easy," he said. "It is true that the barque of the church must cross stormy waters beneath the winds of ideologies and cultures which are anti-human as well as anti-Christ."

However, the cardinal said, Catholics must remain solid in their faith that Christ built his church on a rock, St. Peter and his successors.

"The barque of Peter may encounter agitated waters, but it has been assured divine assistance," he said.

Boston priest faces 10 years in prison for molestation

CAMBRIDGE, Mass. (CNS) — John Geoghan, the defrocked priest of the Boston Archdiocese accused of molesting more than 130 children, was found guilty Jan. 18 of indecent assault and battery on a 10-year-old boy.

Geoghan, 66, could receive up to 10 years in prison for that conviction. In addition he faces a second trial in late February on charges of raping a minor.

The victim in the first trial, now a 20-year-old college student, testified that in 1991 Geoghan, who was still a priest at the time, approached him at a swimming pool, offering to teach him to dive. After 10 to 15 minutes of verbal coaching, he said, the

priest put his hand under his shorts in the pool and squeezed his buttocks.

The jury deliberated about eight hours before delivering its verdict.

Boston archdiocesan spokeswoman Donna M. Morrissey said the archdiocese was grateful the guilty verdict had been reached and hoped "the victim finds some measure of consolation and satisfaction in this verdict."

"We pledge our prayers for all victims of sexual abuse and their families," she said in a Jan. 18 statement.

The archdiocese has reportedly settled 50 civil suits with Geoghan's alleged victims and faces more than 80 others.