

Fact Sheet Documents and Files

Types of Files

Full personnel files are kept on diocesan priests of the Archdiocese of Milwaukee as part of its working and historical archives.

Limited files are also kept on religious order priests who are granted faculties in the Archdiocese of Milwaukee or serve in ministry positions in the Archdiocese of Milwaukee.

Diocesan priest personnel files regularly include information such as:

- Ordinations documents
- Appointment letters for assignments to parishes, schools, institutions, boards or councils
- Wills and funeral arrangements
- Miscellaneous correspondence with, from or about the priest
- Information about any contacts with or about the priest by the Vicar for Clergy including any relevant medical or psychological reports that have been released by the priest
- Performance evaluations
- News articles.

The term “secret archives” refers to a section of the general archives that is set apart for more confidential materials. The English “secret” is translated from the Latin “secretus” which has its roots in the verb form “secerno” which means “set apart.” Under canon law certain documents, e.g., documents from a canonical criminal trial are to be put in this separate archive which can consist of a safe or locked cabinet within the general archives. Canon law further states that whenever the guilty parties have died, or ten years have elapsed since a sentence concluded the criminal case, the file is to be expunged but a short summary of the facts is to be kept, together with the text of the judgment.

Any records on sexual abuse of a minor that were in the secret or confidential archives have been transferred to the regular personnel file. No such records were destroyed.

Practice

The Archdiocese of Milwaukee has not unilaterally released documents and personnel files to the media advocacy groups, plaintiff attorneys or the general public. A personnel file contains confidential information, most of which has nothing to do with this crisis. It also contains medical records and other information we are legally restricted from making public. A priest has the right to correspond with his bishop, as do a priest's parishioners, without fear that such communications will be made public.

Review of Archdiocesan Files

In the early 1990s, retired Milwaukee Judge Leander Foley led a review of all known priest-offender files to determine if any cases fell within the criminal statute of limitations and should be referred to civil authorities or, if a criminal referral was not possible, to ensure appropriate action had been taken to avoid risk of further offenses.

Since the late 1980's, every intake report on clergy sexual abuse of a minor was reviewed by legal counsel to determine if the offense fell within the criminal statute of limitations. Referrals were made to civil authorities in several instances where this was the case and criminal

prosecutions occurred. Since 2002 no prior review of intake reports is done to determine if the case can be prosecuted; every intake report involving a priest or deacon still alive is sent to the appropriate district attorney for review.

In 2002, when attention focused on priests with allegations of sexual abuse in their background, research by archdiocesan officials showed that files on diocesan priests were kept in multiple locations, based upon the purpose of the record. For example, a file may have been kept by the ombudsman, the vicar for clergy (when that position came into being), the chancery office, the head of priest personnel, the tribunal.

In 2002, as a more thorough review of files began to ensure any possible allegation of sexual abuse of a minor had been addressed, these files were consolidated and centralized in the Chancery office.

In 2002, civil authorities reviewed these same files to verify that there were no prosecutable criminal cases falling within the criminal statute of limitations.

In 2004, Archbishop Timothy Dolan directed a complete review by an outside forensic audit team of every diocesan priest's file to make sure no allegations of clergy sexual abuse of a minor had gone undiscovered or unreported.

On July 9, 2004, Archbishop Dolan published the names of diocesan priests of the Archdiocese of Milwaukee who have been (or would be if they were still alive) restricted from all priestly ministries, who may not celebrate the sacraments publicly, or present themselves as priests in any way because of substantiated allegations of sexual abuse of a minor. In addition, in accordance with the canonical norms that have been established, the allegations against any living priest continue to be sent to the Congregation for the Doctrine of the Faith.

Chronologies of priest offenders involved in court cases have been posted to the archdiocesan web site and documents and files have been released to the court.