

Victim Statement Abstract

This abstract replaces the summary prepared by Kathleen Leggdas, Professional Fitness Review Administrator for the Archdiocese of Chicago's Office of Professional Fitness Review, of Victim AR's statement, given to Ms. Leggdas on June 18, 2002, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse took place during the mid to late 1970's at St. Fidelis parish rectory and included Fr. Fitzharris kissing and naked fondling of Victim AR. The alleged abuse occurred when Victim AR was in high school. Victim AR reported that he slept at the rectory with other kids, and also stayed at the rectory for an extended time while in high school. Victim AR reported that Fr. Fitzharris would shower and be naked in front of him and would watch Victim AR shower.

Victim Statement Abstract

This abstract replaces the summary prepared by Kathleen Leggdas, Professional Fitness Review Administrator for the Archdiocese of Chicago's Office of Professional Fitness Review, of Victim AS's statement, given to Ms. Leggdas on April 8, 2002, formalizing his allegation of abuse against Rev. Joseph Fitzharris. Victim AS reported that Fitzharris would have Victim AS sit on his lap. The alleged abuse consisted of one incident of fondling while sitting on Fitzharris's lap in 1975 or 1976, when Victim AS was between 10 or 11 years old. The alleged abuse occurred at Victim AS's family's home.

(Court Office)

(Court Date)

MISDEMEANOR COMPLAINT

(7-81) CCMC1-225

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

The People of the State of Illinois
Plaintiff

v.

NO. 56-234071

Joseph Fitzharris
Defendant

[Redacted Name]

(Complainant's Name Printed or Typed)

complainant, now appears before

The Circuit Court of Cook County and states that

Joseph Fitzharris

(defendant)

(address)

has, on or about

December 1985 at 2840 W. Nelson, Cook Cty

(date)

(place of offense)

Criminal Sexual Abuse

committed the offense of in that he

the accused was 17 years of age or over to wit: 49 years of age and committed

an act of sexual conduct with the victim

while he and the victim had

no clothing on and by holding the victim while each had no clothing and

holding the victim and touching the victim's penis with his erect penis. The victim was

under age 16 to wit: age 15 when the act was committed:

in violation of Chapter 38 Section 12-15(b)(1)

ILLINOIS REVISED STATUTES

STATE OF ILLINOIS
COUNTY OF COOK

ss

FILED

NOV 19 1986

MORGAN M. FINLEY
CLERK OF COURT

X [Redacted Name]

(Telephone No.)

(Complainant's Name Printed or Typed)

his

being first duly sworn, on oath, deposes and says that he has read the foregoing
complaint by him subscribed and that the same is true.

X [Redacted Name]

Subscribed and sworn to before me 19

[Signature]
(Judge or Clerk)

I have examined the above complaint and the person presenting the same and have heard evidence thereon, and am satisfied that
there is probable cause for filing same. Leave is given to file said complaint.

Summons issued, Judge
or
Warrant issued, Bail set at Judge's No.
or
Bail set at Judge 000178 Judge's No.

MORGAN M. FINLEY, CLERK OF THE CIRCUIT COURT OF COOK COUNTY

North Vianney House
2520 South King Drive
Chicago, IL 60616

April 6, 1993

**INDIVIDUAL SPECIFIC PROTOCOL
FOR REVEREND JOSEPH FITZHARRIS**

I have reviewed, understood and agree to all requirements of this protocol:

1. Unaccompanied out-of-house activities include the following:

~~meals every day~~

Archdiocese of Chicago Office - when needed

~~- Tue, Thru Sat~~ **Tues**

~~- Tue~~

Visits with family, classmates and friends /including the ~~family~~ family from resident's previous parish/, ~~playing tennis at Mid-Town Tennis Club, going to restaurants, theatres movies, libraries, pet stores, shopping, etc.,~~ every day

~~Mass at Mercy Hospital and/or St. James Church Sunday~~

2. Attendance at all activities and the specific names, addresses, time, telephone numbers regarding resident's whereabouts must be entered on the individual's itinerary. If for some reason(s) change(s) in individual's schedule has been made, resident is obliged to call in and update a staff member as soon as possible.
3. Resident is accountable for his own time and is required to support his attendance at social events with physical proof /i.e., movie ticket, receipt from restaurant, etc.,/. Resident is required to call in the residence staff member upon his leaving Trinity House and then every four hours unless decided otherwise by the Executive Director and/or the Professional Fitness Review Board Administrator or designate. The telephone number from where the call has been made may be verified by a staff member. Unlisted, unpublished and mobile telephone numbers will not suffice.
Unsuccessful attempts to reach resident when out-of-house will be followed by writing a memorandum. Such a memorandum will be kept on file at Vianney North House. In case of repeated violations copies of original memoranda will

be forwarded to the Office of Professional Fitness Review Board Administrator.

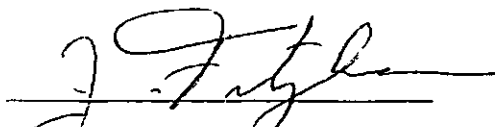
4. In order to leave boundaries of Chicago metropolitan area resident must receive permission from the Professional Fitness Review Board Administrator or designate.
5. Prior approval for public celebration of masses and other religious services such as weddings, baptisms, funerals, etc., must be received from the Vicar for Priests or designate.
6. Any contraband materials such alcohol and pornography will be confiscated and can be done by any staff member. VCR is permitted at resident's apartment.
7. Visitation can only occur only at resident's apartment. All visitors must sign in and out at the Community Room.
8. No one under the age of eighteen is permitted to be at the residence unless prior approval has been received from the Professional Fitness Review Board Administrator and/or designate. Meetings with minors, in and out of the residence, can take place only in the presence of an approved companion.
9. Any deviation and/or non-compliance with requirements of this protocol will be addressed by Executive Director and/or designate and may be grounds for modification of currently existing arrangements regarding resident's stay at North Vianney House. Such a modification will be collectively determined by the Professional Fitness Review Board Administrator and/or designate with conjunction with the Executive Director [REDACTED]. In case of emergency, any staff member can modify this protocol until an administrative decision can be made by Executive Director and/or designate.
10. In order to change this protocol prior approval must be obtained from the Professional Fitness Review Board Administrator and/or designate.
11. This is a working document which can be changed, altered or superseded when there is an indicated need to do so.
12. A copy of this protocol will be sent to the Office of Professional Fitness Review Board Administrator.


Signed:

Printed Name:

Executive Director:

Date:



JOSEPH A. FITZHARRIS


May 6, 93

11 cont) followed by writing a memorandum. Such a memorandum will be kept on file at the Vianney North Residence. In case of repeated violations, copies of original memoranda will be forwarded to the Archdiocese Vicar for Priests [REDACTED]

12) Any contraband materials/i.e., alcohol, VCR's, pornography/can be confiscated.

13) No one under the age of eighteen is permitted to be at the Residence unless prior approval has been received from the Residence Executive Director, treatment team, and the Archdiocese Vicar for Priests or designate. Meetings with minors, in and out of the Residence, can take place only in the presence of an approved companion.

14) Any deviation and/or non-compliance with requirements of the Individual Specific Protocol will be addresses by the Residence Executive Director and/or designate and may be grounds for modification of currently existing unaccompanied out-of-house privileges. Such modification will be collectively determined by the Archdiocese Vicar for Priests and/or designate/other referring authority in conjunction with the Residence Executive Director [REDACTED] Staff. In case of emergency, any staff member can modify the Individual Specific Protocol until an administrative decision can be made by the Residence Executive Director and/or designate.

15) In order to change the Individual Specific Protocol and/or items within the protocol, prior approval must be received from the treatment team in conjunction with the Residence Executive Director.

This is a working document which can be changed, altered, or superceded where there is an indicated need to do so.

Signed: _____

Printed Name: JOSEPH FITZHARRIS

Date: _____

Executive Director: _____

A copy of this protocol will be kept on file [REDACTED] and a copy will be sent to the Archdiocese Vicar for Priests.

IN ADDITION:

16) Car keys to be checked in at the Community Room.

17) Visitation by previously approved visitors can occur only at room 404, all visitors must sign in and out at the Community Room.

Signed: _____ Date: _____

Executive Director: _____



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

October 28, 1991

Dear Father Fitzharris:

It is with sadness that I must formally convey to you my decision that the nature of your psychological difficulties is such that you are not able to rightly carry out priestly ministry. Therefore, I must issue this decree that, effective immediately, you are prohibited from any and all exercise of the priestly ministry, in virtue of canon 1044, #2, n. 2. In addition, for the public good, you are not allowed to wear the Roman collar. Also, your assignment as the associate pastor of Saint Pascal Parish is terminated, effective immediately.



Considering the gravity of your difficulties, I do not foresee ever being able to allow you to exercise the sacred ministry. This is something which Father O'Malley and the Chancellor, Father Robert Kealy, will discuss with you [redacted]

I assure you that this situation grieves me deeply. Be assured that you are remembered in my prayers.

With cordial good wishes, I remain

Sincerely yours in Christ,

Archbishop of Chicago

Reverend Robert L. Kealy
Chancellor

Reverend Joseph L. Fitzharris
Saint Pascal Parish
3935 N. Melvina Avenue
Chicago, Illinois 60634



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

TO: File (P. O'Malley)

DATE: Nov. 17, 1991

RE: Joseph Fitzharris

1. Cardinal Bernardin saw Joseph Fitzharris on Oct. 28, 1991. Present were Bishop Goedert, Rev. Andrew McDonagh and POM.

2. The Cardinal told Joe he would have to leave the parish. He explained that Canon 1044 was his basis.



4. The Cardinal forcibly reminded Joe of the imprudent relationship he had formed with [REDACTED]. Joe acknowledged as much but reminded us he had broken off the relationship. Subsequently we discovered that, despite Joe's protestations of no relationship, he was renting his "house" to [REDACTED] and teaching - from her to drive. Joe had signed a contract with Ray Goedert in March of 1991 absolutely forbidding any contact whatsoever.



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MEMORANDUM

DRAFT

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From: Leah McCluskey, Professional Responsibility Administrator 

Re: **RESPONSE TO [REDACTED] ALLEGATION OF
SEXUAL MISCONDUCT AGAINST JOSEPH FITZHARRIS
[RESIGNED]**

Date: December 1, 2005

Date of Meeting: November 21, 2005

Time of Meeting: 3:30 pm

Present at Meeting

- Mr. Joseph Fitzharris
- Rev. Edward Grace, Vicar for Priests
- Ms. Leah McCluskey, Professional Responsibility Administrator

Conference Call

This meeting took place entirely via conference call. PRA arrived at the Vicar for Priests' Office for the scheduled meeting. Rev. Edward Grace and PRA contacted Mr. Joseph Fitzharris via phone just prior to the 3:30 pm scheduled meeting time. Mr. Fitzharris indicated that he was available to begin the scheduled call earlier than the 3:30 pm agreed upon start time.

PRA began the phone call for thanking Mr. Fitzharris for his time. PRA then referenced *§1100 Sexual Abuse of Minors: Policies for Education, Prevention, Assistance to Victims and Procedures for Determination of Fitness for Ministry*, a copy of which Mr. Fitzharris had been provided in the past. Mr. Fitzharris was directed to the policies and procedures and specifically called his attention to policy 1104.3.6.2, advising him of his right to request to address the independent Review Board in connections with an allegation of sexual misconduct with a minor made against him.

When asked by PRA, Mr. Fitzharris stated that he did not have any initial questions or concerns prior to hearing the allegation.

PRA then read [REDACTED] allegation of sexual misconduct to Mr. Fitzharris. At various points throughout the allegation being read to him, Mr. Fitzharris provided initial responses to specific incidents alleged by [REDACTED]

As PRA read from the top of page three of [REDACTED] allegation [see report], Mr. Fitzharris emphatically stated, "This is all bullshit!" Mr. Fitzharris also commented, "...none of this is true..." and remarked that [REDACTED] had "...a warped memory..."

As PRA continued to read and came to the first time in the report where [REDACTED] stated, "I didn't want to go to Hell [see page three of the report]," Mr. Fitzharris commented, "...none of this is true...this is bull..." Mr. Fitzharris also suggested that [REDACTED] had a "...vivid imagination..." and that his accuser was "...trying to get money..." He continued by remarking that the allegation being read to him was "nonsense."

PRA continued to read [REDACTED] allegation to Mr. Fitzharris. When PRA read that [REDACTED] alleges that Fr. Fitzharris masturbated and ejaculated in his face [see end of page three of report], Mr. Fitzharris remarked that the allegation was absurd.

Once PRA finished reading the allegation, Mr. Fitzharris remarked that "...all [of the allegation] is terrible...terribly not true." Mr. Fitzharris stated that he vaguely remembers [REDACTED] name, but he does not remember the person. He again made the comment that the entire allegation is not true.

When asked by PRA, Mr. Fitzharris stated that he was not familiar with asking a parent to have his/her child sleep over at the rectory with him. Also when asked, Mr. Fitzharris stated that the "retreat up North" was not familiar to him either. When asked, Mr. Fitzharris stated that he did take boys swimming. After a long pause, Mr. Fitzharris stated that he took boys and girls swimming to a family's home in LaGrange Park. When asked for clarification, Mr. Fitzharris stated that he would take the kids swimming for the day and did not stay overnight.

Fr. Grace then asked Mr. Fitzharris if he ever took kids to a lake. Mr. Fitzharris stated that he does not remember, but regardless the circumstances of and the abuse alleged by [REDACTED] "never happened."

When asked, Mr. Fitzharris stated that he never watched any of the kids change. When asked by PRA, Mr. Fitzharris stated that [REDACTED] is the name of the family that had the aforementioned pool.

When asked, Mr. Fitzharris stated that there was a pool table located on the third floor of the rectory at St. Francis Xavier. Also when asked, Mr. Fitzharris stated that both boys and girls used the pool table in this room. Mr. Fitzharris stated that the boys and/or girls were always in this room in groups, never only one or two at a time. When asked, Mr.

Fitzharris stated that he does not exactly remember the time of day that the boys and/or girls would be in this room in the rectory. Also when asked, Mr. Fitzharris stated that he never had any boys or girls stay overnight in the rectory. Mr. Fitzharris also pointed out that he lived on the third floor of the rectory, not the second floor.

Referring to [REDACTED] allegation, Mr. Fitzharris stated that [REDACTED] was the housekeeper and did other work at the rectory. Mr. Fitzharris added that [REDACTED] was at the rectory approximately 12 hours a day, but did not ever make dinner.

When asked, Mr. Fitzharris stated that he never punished the altar boys if they “messed up.”

Responding to specific alleged incidents, Mr. Fitzharris stated that he has “...never had anal with anyone in his life...” Mr. Fitzharris also stated that he was never in bed with a boy in the rectory, he never gave wine or any other type of alcohol to a child, and the mutual oral sex “never happened.” Mr. Fitzharris stated, “I never did anything sexually inappropriate with this person.”

When asked if he recalls giving toys kept in the basement of St. Francis Xavier to children, Mr. Fitzharris stated that every Christmas the parish had a toy drive. He explained that the toys were delivered to families in the parish.

When asked, Mr. Fitzharris stated that the name [REDACTED] is “vaguely familiar.”

When asked by PRA, Mr. Fitzharris stated that his transfer from St. Francis Xavier was “routine.” As per Mr. Fitzharris, there was a mass and a good-bye party with staff and parishioners when he was assigned to another parish.

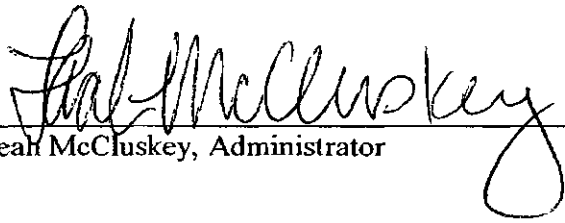
Mr. Fitzharris stated that the sexual allegations made by [REDACTED] are ridiculous. He agreed that the details in [REDACTED] allegation about the existence of the pool table in the rectory and [REDACTED] are correct, but that the substance of the allegation is incorrect. Mr. Fitzharris stated, “...these things may have happened...” to [REDACTED] but not by him [Mr. Fitzharris].

PRA thanked Mr. Fitzharris for his response to [REDACTED] allegation. Both PRA and Fr. Grace thanked Mr. Fitzharris for his time and asked that he call either with any questions or concerns.

PRA informed Mr. Fitzharris that a draft report of his response to [REDACTED] allegation would be mailed to him for his review. It was agreed that Mr. Fitzharris would then make any corrections to the draft report and return it to PRA.

Joseph L. Fitzharris

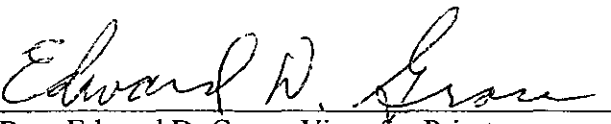
Date



Leah McCluskey, Administrator

11/9/06

Date



Rev. Edward D. Grace, Vicar for Priests

1/10/06

Date

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MEMORANDUM

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File - PFR-12

To: [Redacted]
From: Leah McCluskey, Professional Responsibility Administrator
Re: Fitzharris, Rev. Joseph [Retired] [Redacted]
Date: December 2, 2005

PRA received a phone call from the former Rev. Joseph Fitzharris on December 1, 2005 regarding the allegation of sexual misconduct made against him by [Redacted]

Mr. Fitzharris informed PRA that he has thought about and reflected upon [Redacted] allegation since it was read to him on November 21, 2005 [see file]. As per Mr. Fitzharris, he is "very disturbed" by the allegation and that "...the whole thing is very disturbing...none of the sexual allegations are true."

Mr. Fitzharris asked PRA if it would be important for him to talk about details of [Redacted] allegation that he feels are not true. When asked for an example, Mr. Fitzharris stated that there was not a bumper pool table at St. Francis Xavier, but there was a "...huge slate pool table." Mr. Fitzharris also mentioned that [Redacted] memories of priests assigned before, after, and with Mr. Fitzharris at St. Francis Xavier are inaccurate.

PRA advised Mr. Fitzharris to respond to any and all information that he was presented in [Redacted] allegation. PRA then suggested to Mr. Fitzharris that upon his receipt of the draft of his response to [Redacted] allegation, he make any changes/corrections to the draft as well as possibly add an addendum to the report. It was suggested that Mr. Fitzharris add the addendum so that he could address any/all other details of the allegation to his satisfaction. PRA informed Mr. Fitzharris that the final report of his response would include such an addendum. Mr. Fitzharris indicated that he would write an addendum after reviewing the draft response.

Referring back to the allegation, Mr. Fitzharris stated that "...none of those things [allegations of abuse] are true..." Mr. Fitzharris then suggested that PRA talk to any priests who knew him and that they would state that he was "...psychologically incapable

of being mean to people...” He spoke of [REDACTED] statement that he and [REDACTED] cut the lawn at St. Francis Xavier. As per Mr. Fitzharris, Rev. Joseph Taylor [Retired] was the pastor at the time and would not have hired “kids” to cut the grass, as there were janitors who completed such tasks.

Mr. Fitzharris then mentioned “transference” and suggested that possibly [REDACTED] was abused by someone else and has somehow connected it to him. He remarked that he “...would have nothing to lose if I did do this...” Meaning, that if he did abuse [REDACTED] [REDACTED], he would “have nothing to lose” by admitting it.

PRA thanked Mr. Fitzharris for his phone call. It was agreed that Mr. Fitzharris would await the draft response to [REDACTED] allegation and return the document to PRA with his corrections.

Mr. Fitzharris may be reached at [REDACTED].

Cc: Rev. Daniel Smilanic, Cardinal’s Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests

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MEMORANDUM

To: File – PFR-12

From: Review Board Meeting

Re: Fitzharris, Rev. Joseph (Resigned) [REDACTED]

Date: August 20, 2005

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A summary of the discussion from the Professional Responsibility Review Board Meeting on August 20, 2005:

The Review Board conducted a Review for Cause of the allegation made by [REDACTED]. The allegation is as follows: [REDACTED] was naked in bed with Fr. Fitzharris; Fr. Fitzharris had [REDACTED] lay on top of him in bed; Fr. Fitzharris then fondled [REDACTED] until they both fell asleep; the same day, Fr. Fitzharris undressed [REDACTED] and had them shower together; during shower Fr. Fitzharris washed [REDACTED] and vice versa.

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board determined that no further action be taken due to the fact that the former Fr. Fitzharris is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

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MEMORANDUM

To: File – PFR-12

From: Review Board Meeting

Re: Fitzharris, Rev. Joseph (Resigned) [REDACTED] stamp!

Date: August 20, 2005

A summary of the discussion from the Professional Responsibility Review Board Meeting on August 20, 2005:

The Review Board conducted a Review for Cause of the allegation made by [REDACTED]. The allegation is as follows: Fr. Fitzharris initiated hugs to his groin area and hugging where [REDACTED]; face and chest would be pressed to his groin; Fr. Fitzharris would fondle [REDACTED] vaginal area under her dress while talking to her siblings and at times would pull on her breasts and remark "how cute they are;" Fr. Fitzharris would take [REDACTED] hand and place it on his penis "a lot."

In a 7-0 vote in light of the information presented, the Review Board determined that there is reasonable cause to suspect that the alleged misconduct occurred. Further, the Board determined that no further action be taken due to the fact that the former Fr. Fitzharris is resigned, except to provide appropriate outreach to those affected by the alleged misconduct.

AOC 000747

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MEMORANDUM

TO: Ralph Bonaccorsi, Assistance Ministry
Rev. James Kaczorowski, Vicar for Priests
Jimmy Lago, Chancellor
Leah McCluskey, Office of Professional Responsibility
John O'Malley, Legal Services
✓ Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests

FROM: Laura Neri-Palomino, Administrative Assistant
Office of Professional Responsibility

DATE: April 25, 2005

RE: [PFR-12]Fitzharris, Rev. Joseph (Resigned)/Unidentified male

Attached is a copy of a new allegation received by this office on 4/25/05. We are opening a file and Leah McCluskey, Professional Responsibility Administrator will begin the Review Process by attempting to arrange an interview with **Unidentified male**. Please advise this office of any information you may have in your files regarding Fitzharris, Joseph/Unidentified male.

It is extremely important that you forward copies of any and all documentation pertinent to this case to this office within 5 business days of receipt of this memo to ensure that the investigation of this matter be properly handled.

Thank you.

Attachment

cc: Rev. George Rassas, Vicar General

AOC 000748

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To: File – PFR-12

From: Leah McCluskey, Professional Responsibility Administrator

Re: Fitzharris, Rev. Joseph [Resigned]/Unidentified male

Date: April 25, 2005

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PRA received a phone message from Rev. Thomas Tivy, currently residing at Resurrection parish, formerly St. Francis Xavier parish. Fr. Tivy was calling to report the alleged abuse of a minor by the former Rev. Joseph Fitzharris. The alleged abuse took place at what was St. Francis Xavier parish, a former assignment of the accused.

Fr. Tivy stated that a man in his 30s came to see him at Resurrection yesterday and stated that Fr. Fitzharris abused him while at St. Francis Xavier. [REDACTED]

The victim informed Fr. Tivy that he does not want his mother to know of the alleged abuse, however did indicate to Fr. Tivy his wish for help/assistance. Fr. Tivy was calling to suggest that once the victim contacts him again, that he direct him to PRA. He requested a return call at [REDACTED].

PRA attempted to reach Fr. Tivy via phone today in response to his message. Fr. Tivy was directed to have the victim contact PRA and/or to provide contact information so that PRA may contact him.

AOC 000749

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To: File - PFR-12
From: Leah McCluskey, Professional Responsibility Administrator
Re: Fitzharris, Joseph [Resigned], [REDACTED]
Date: June 1, 2004



PRA received a phone call today from [REDACTED], [REDACTED] sister of [REDACTED]. [REDACTED] had initiated the conversation between PRA and [REDACTED] as he had indicated in his allegation of sexual misconduct against the former Rev. Joseph Fitzharris that his sister [REDACTED] had been present at the time of the alleged abuse.

Within five minutes of speaking with [REDACTED] via phone, she clarified for PRA that Fr. Fitzharris also abused her. At PRA's suggestion, [REDACTED] quickly agreed to her preference of meeting with PRA in person to discuss the alleged abuse. It was agreed that [REDACTED] would meet with PRA and Assistance Ministry on June 7, 2004 at 1pm.

[REDACTED]

[REDACTED] informed PRA that she and her brother first discussed the abuse by Fr. Fitzharris in 1986 [REDACTED]

[REDACTED]

She also informed PRA that Fr. Fitzharris would buy her and her siblings gifts, which is why they never talked about the "physical aspects" of the cleric's behavior. It was at this point in the phone conversation when PRA asked [REDACTED] if Fr. Fitzharris had abused her. When she stated that Fr. Fitzharris had abused her, PRA and [REDACTED] arranged the June 7th meeting.

[REDACTED] may be reached at [REDACTED] and her birth date [REDACTED]

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim AT's statement, given to Ms. McCluskey on October 19, 2005, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse consisted of Fr. Fitzharris providing Victim AT with alcohol and multiple incidents of fondling, anal penetration, and oral sex when Victim AT was in grade school. All of the alleged abuse occurred in the rectory at St. Francis Xavier parish and on an out-of-town retreat. Victim AT reported numerous incidents of abuse while he was an altar boy at St. Francis Xavier. Victim AT also recalls that Fitzharris had a bumper pool table and toys in the rectory that he solicited Victim AT to use. Fitzharris also invited Victim AT to sleep over at the rectory. Victim AT also reported that Fitzharris gave him alcohol prior to an incident of abuse.

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To: PFR-12

From: Leah McCluskey, Professional Responsibility Administrator

Re: **JOSEPH FITZHARRIS' [RESIGNED] RESPONSE TO ALLEGATION OF SEXUAL MISCONDUCT MADE BY** [REDACTED]

Date: October 3, 2004

Date of Meeting: September 24, 2004

Time of Meeting: 10:00am

Present at Meeting

- Mr. Joseph Fitzharris
- Ms. Leah McCluskey, Professional Responsibility Administrator
- Rev. Edward Grace, Vicar for Priests

Conference Call

This meeting took place entirely via conference call. PRA arrived at the Vicar for Priests' Office for the 10:00am scheduled meeting. PRA and Rev. Edward Grace then contacted Mr. Joseph Fitzharris via phone.

When asked by PRA, Mr. Fitzharris stated that he did not have any initial questions or concerns prior to hearing the allegation.

PRA then read [REDACTED] allegation of sexual misconduct against the former Rev. Joseph Fitzharris. [REDACTED] allegation was the second of two to be read to Mr. Fitzharris that day. PRA informed Mr. Fitzharris that [REDACTED] is the older sister of [REDACTED] and [REDACTED] whose allegations of sexual misconduct was presented to him [Mr. Fitzharris] on March 24, 2004 and September 24, 2004 respectively.

PRA then began to read [REDACTED] allegation to Mr. Fitzharris. At various points throughout the allegation being read to him, Mr. Fitzharris provided initial responses to

specific incidents alleged by [REDACTED] When PRA read the following section of [REDACTED] allegation, Mr. Fitzharris provided such an initial response.

As per [REDACTED] the first time that touching by Fr. Fitzharris began included the cleric initiating hugs to his groin area and hugging where her face and chest would be pressed to his groin [page two, second paragraph of [REDACTED] allegation].

Mr. Fitzharris' initial response was, "... [the allegation of such an incident] is stupid...it never happened..."

Mr. Fitzharris then asked PRA to continue with reading the allegation. PRA then read the following:

[REDACTED] spoke of sitting on the sofa in her living room while Fr. Fitzharris sat in the corner of the sofa. As per [REDACTED] Fr. Fitzharris would fondle her [vaginal area] under her dress while he talked to her siblings. At the time, [REDACTED] was between the ages of 10 and 11 years old [REDACTED]

[REDACTED] also shared that Fr. Fitzharris would take her hand and place it on his penis "a lot." She stated that if Fr. Fitzharris were standing behind her, he would press her body against his groin area [REDACTED]

Mr. Fitzharris' initial response was, "... [that is] bullshit... [it is] crazy... bullshit..."

Mr. Fitzharris again asked PRA to continue with reading the allegation. As PRA continued to read, Mr. Fitzharris provided an initial response to the following specific section of [REDACTED] allegation:

As [REDACTED] became older, she began to analyze things [the abuse by Fr. Fitzharris]. She stated that if she was a "good girl" with Fr. Fitzharris as a child, he would provide her and her family with things such as food, Christmas gifts, and birthday gifts. Looking back, as a child [REDACTED] would have to sit next to Fr. Fitzharris or on his lap to receive the aforementioned gifts and/or food in return [final paragraph on page two and continued onto page three of [REDACTED] allegation].

In response to this section of the allegation, Mr. Fitzharris referenced the scenario involving "gifts" and him fondling [REDACTED] while on his lap and stated that both were "...bullshit."

Mr. Fitzharris then asked PRA to continue with reading [REDACTED] allegation. From this point forward, PRA read the allegation in its entirety. At the conclusion of hearing [REDACTED] entire allegation, Mr. Fitzharris stated that he does not remember who she is. He also feels that he does not remember [REDACTED] family. Mr. Fitzharris referred to the entire allegation as nonsense.

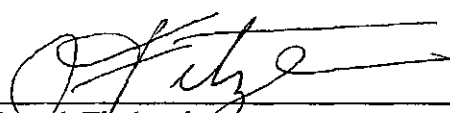
Referencing [redacted] description of St. Aloysius, Mr. Fitzharris point out that the church does not have a basement. In regards to the entire allegation, Mr. Fitzharris suggested that [redacted] is "nutty" and that the entire allegation is "ludicrous."

When asked by PRA, Mr. Fitzharris stated that while assigned to St. Aloysius he did bring toys and food to homes within the parish all of the time. However, he stated that he did not take children overnight with him. [redacted]

Mr. Fitzharris stated, "...this [the abuse alleged by [redacted] never happened." He suggested that [redacted] allegation does sound convincing, but that he does not understand [redacted] and/or her allegation against him. Mr. Fitzharris then stated that he "...did a lot of bad things to people...I remember all of them...I don't remember [redacted] or [redacted]."

PRA thanked Mr. Fitzharris for his response to [redacted] allegation. Both PRA and Fr. Grace thanked Mr. Fitzharris for his time and asked that he call either with any questions or concerns.

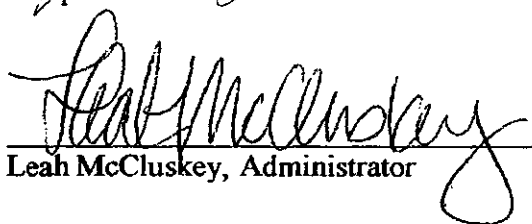
PRA informed Mr. Fitzharris that a draft report of his response to [redacted] allegation would be mailed to him for his review. It was agreed that Mr. Fitzharris would then make any corrections to the draft report and return it to PRA.



Joseph Fitzharris

10/5/04

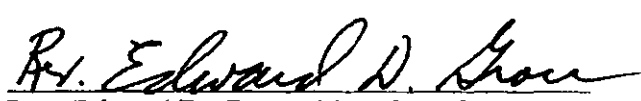
Date



Leah McCluskey, Administrator

10/8/04

Date



Rev. Edward D. Grace, Vicar for Priests

10/13/04

Date

- Cc: Review Board Members
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. Edward D. Grace, Vicar for Priests
Mr. Patrick Reardon, Attorney

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim AU's statement, given to Ms. McCluskey on July 21, 2004, formalizing her allegation of abuse against Rev. Joseph Fitzharris. Victim AU reported that Fitzharris befriended his family and made regular visits to her home when she was a child. The alleged abuse consisted of numerous incidents of fondling and penetration. The alleged abuse took place in Victim AU's home and occurred from the time she was 10 or 11 years old until the time she was 14 or 15 years old.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



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MEMORANDUM

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ARCHDIOCESE OF CHICAGO**

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TO: Ralph Bonaccorsi, Assistance Ministry
Rev. James Kaczorowski, Vicar for Priests
Jimmy Lago, Chancellor
Leah McCluskey, Office of Professional Responsibility
John O'Malley, Legal Services
✓ Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
✓ Rev. Edward Grace, Vicar for Priests

FROM: ^{LNP} Laura Neri-Palomino, Administrative Assistant
Office of Professional Responsibility

DATE: June 7, 2004

RE: [PFR-12] Fitzharris, Joseph (Resigned) [REDACTED]

In [REDACTED] allegation, [REDACTED] stated that her older sister [REDACTED] was also abused by Fr. Fitzharris.

The allegation was received by this office on 6/1/04. We are opening a file and Leah McCluskey, Professional Responsibility Administrator will begin the Review Process by arranging an interview with [REDACTED]. Please advise this office of any information you may have in your files regarding Fitzharris, [REDACTED].

It is extremely important that you forward copies of any and all documentation pertinent to this case to this office within 5 business days of receipt of this memo to ensure that the investigation of this matter be properly handled.

Thank you.

Attachment

cc: Most Rev. Edwin M. Conway

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim AR's statement, given to Ms. McCluskey on November 26, 2003, revising his allegation of abuse against Rev. Joseph Fitzharris, initially made on June 18, 2002. The alleged abuse consisted of touching, fondling and kissing when Victim AR was a minor. The alleged abuse took place at St. Fidelis parish, St. Francis Xavier parish and a local health club. Victim AR also alleged that he moved into the St. Francis Xavier rectory with Fr. Fitzharris after Victim AR graduated from grade school. Victim AR reported that Fr. Fitzharris would have him sit on his lap and Fr. Fitzharris would massage him. Victim AR also reported that Fr. Fitzharris invited him to stay overnight at the rectory frequently between 1973 and 1977, and he eventually stayed at the rectory for an extended period of time. According to Victim AR, Fr. Fitzharris would also invite kids to come stay at the rectory and kept sleeping bags for them to use. Victim AR reported that Fr. Fitzharris abused him on a daily basis over an unstated period of time.

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Office of Professional Fitness Review



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To: PFR-12

From: Leah McCluskey, Professional Fitness Review Administrator

Re: **JOSEPH FITZHARRIS' RESPONSE TO ALLEGATION OF SEXUAL MISCONDUCT OF A MINOR MADE BY [REDACTED]**

Date: February 16, 2003

Date of Interview: February 5, 2003

Time of Interview: 11:00 a.m.

Present at Interview

Joseph Fitzharris [JF], accused
Ms. Leah McCluskey, Professional Fitness Review Administrator [PFRA]
Fr. Thomas Tivy, Vicar for Priests [VP]

Phone Interview

Fr. Thomas Tivy [TT] and PFRA phoned Joseph Fitzharris [JF] promptly at 11:00am for the scheduled teleconference. After introductions were made, PFRA explained to JF the role of PFRA as well as the process associated with an allegation of sexual misconduct of a minor against a priest. PFRA also clarified for JF that there were two allegations that would need to be read to him. JF stated that he had not been able to reach his attorney, Patrick Reardon [PR] to be present for the reading of the allegations. However, JF stated that he wanted to proceed with the scheduled meeting without PR.

Prior to PFRA reading the allegation of sexual misconduct made by [REDACTED] JF asked several questions about the alleged victim. JF informed PFRA that he did not recall anyone by the name of [REDACTED] PFRA suggested to JF that the allegation be read in its entirety and that some of his questions regarding [REDACTED] identity may be answered. JF agreed to let PFRA read the allegation.

JF's initial response to the allegation was "I don't know what to say." JF's comment was followed by much silence. VP then suggested to JF that he did not need to say anything if he felt that he would need to speak with PR prior to making an official response to [REDACTED] allegation. JF

AOC 000758

then responded, “I don’t know what to say...I vaguely remember the kid now...the story is full of inconsistencies...I don’t know what to say.” VP then asked JF if his parents resided in Highland Park. JF responded that his parents did not reside in Highland Park, but that he had friends who resided in [REDACTED] and he “took kids on the boat...but never stayed overnight.”

JF continued, “Maybe I should talk to Pat [PR] first. I’ll talk to Pat.” These comments made by JF were again followed by a period of silence. It was then clarified by PFRA and VP that JF would contact VP after JF had a chance to speak with PR.

Cc: Review Board Members
Bishop-Elect Thomas J. Paprocki, Cardinal’s Delegate to the Review Board
Rev. Thomas Tivy, Vicar for Priests
Ralph Bonaccorsi, Victim Assistance Ministry
John O’Malley, Legal Services

MEMO

To: File
From: Tom Tivy
Date: February 5, 2003
Re: Joseph Fitzharris/ [REDACTED]

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Joe Fitzharris called to offer the following testimony in a phone conversation with Leah McCluskey and myself on February 5, 2003. He called Pat Reardon, his attorney, twice, but received no return call from Pat. Hence, he was not present for the conversation.

Concerning [REDACTED] Joe Fitzharris remembers taking him to see the Pope. [REDACTED]

[REDACTED] Moreover, Joe never took kids overnight to anyone's home. He denies having anal sex with anyone and finds it very repulsive. Even the thought of it is repulsive to Joe. Joe could not remember having any oral sex with [REDACTED]

Years later when Joe admitted having sex with nine boys, [REDACTED] was not one of the named individuals. Joe never had anal sex with anyone. [REDACTED]

There was a game room at St. Francis Xavier rectory, but usually a group of kids were involved in this area. Rarely was a teen alone.

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim AV's statement, given to Ms. McCluskey on December 12, 2002, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse occurred regularly between approximately 1978 and 1980, and consisted of numerous incidents of fondling, masturbation, oral sex and/or anal penetration. The alleged abuse occurred at St. Francis Xavier parish, at the home of a family member of Rev. Fitzharris and in Rev. Fitzharris' car. Victim AV was between 12 and 14 years old when the alleged abuse occurred. According to Victim AV, Fitzharris invited kids up to the rectory after CCD to play the pinball, bumper pool, and foosball games that he kept there. Victim AV also reported that Fitzharris would take kids to a local health club, and to movies. Fitzharris abused Victim AV at the health club when he was alone with Fitzharris. On other occasions he would have kids sit on his lap while reading them the bible. Victim AV also recalls that there were rumors in the neighborhood at the time of the abuse that Fitzharris was molesting children.

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To: File – PFR-12
From: Michael C. Just, Interim Professional Fitness Review Administrator (r9)
Re: **Rev. Joseph Fitzharris**
Date: November 11, 2002

PFRA spoke with [REDACTED], regarding allegations that [REDACTED] Joseph Fitzharris, sexually abused her daughter, [REDACTED] PFRA learned that daughter's DOB is [REDACTED] and that alleged abuse occurred from the time victim was 3 ½ or 4 to the age of 6, in [REDACTED]. PFRA provided phone numbers of State's Attorneys, Shauna Boliker and Mike Howlett, explained Review process and requested that she pass PFRA's phone number on to her daughter, who currently resides in [REDACTED]

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. Thomas Tivy, Vicar for Priests
Ralph Bonaccorsi, Victim Assistance Ministry
John O'Malley, Legal Services

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Memorandum

To: File – PFR-12

From: Leah McCluskey, Interim, Professional Fitness Review Administrator 

Re: Rev. Joseph Fitzharris (Resigned) Response to Allegation of
[REDACTED]

Date: September 13, 2002

Date of Interview: September 5, 2002

Time: 4:00pm

Present at Interview

Joseph Fitzharris [JF], accused
Mr. Patrick Reardon [PR], Attorney
Ms. Leah McCluskey, Interim, Professional Fitness Review Administrator [PFRA]

Face-to-Face Interview

Joseph Fitzharris [JF] was approximately 20 minutes late for the interview. Patrick Reardon [PR] and PFRA were present and waited for JF to arrive at the Vicar for Priests Office. JF presented as extremely frazzled and was apologetic to PR and PFRA for being late. It was explained to JF that Fr. Kaczorowski, Vicar for Priests had intended to sit in on the allegation on behalf of Fr. Tivy, but Fr. Kaczorowski needed to leave in order to keep a previously scheduled appointment. JF was informed that his assigned vicar is Fr. Tivy and that he [JF] should direct all future questions to him [Fr. Tivy]. PFRA then described the responsibilities of the Office of Professional Fitness Review as well as those of PFRA.

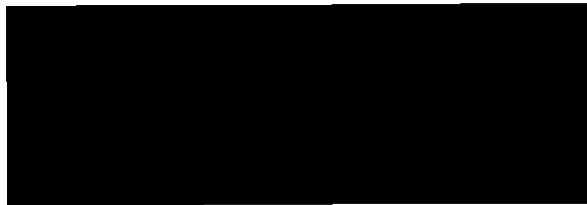
PFRA read the allegations of sexual misconduct against JF, which were made by [REDACTED]. [REDACTED] PR then led JF in the following response to the allegations. When PR asked JF if he had participated in any sexual contact with [REDACTED] JF's response was, "Absolutely not, absolutely not. Zero." PR then asked JF about alleged incidents of kissing [REDACTED] situations with wearing towels, toweling each other off, etc. JF stated that none of such described incidents ever happened between himself and [REDACTED] JF added, [REDACTED] must be desperate for money." JF stated that he has never had any sexual contact directly or indirectly with [REDACTED]. In regards to the names of the two other men mentioned by [REDACTED] in the victim interview, JF stated that he vaguely remembers the names, but nothing else. PFRA then asked JF if he recalled being contacted as a character witness by [REDACTED] to which JF responded, "I don't remember. I don't know what the context was."

JF then stated that the last time he saw [REDACTED]
[REDACTED] As per JF, [REDACTED] asked him to pay his rent. JF stated that he did pay [REDACTED] rent at the
time. JF then sadly continued to talk about [REDACTED]. JF stated "[REDACTED] I pray for him [REDACTED]
it is [REDACTED] s birthday]." JF described his own mother as [REDACTED]

[REDACTED] JF described feeling "profoundly sad" about the allegations by [REDACTED]. JF stated that he
never had any sexual attraction toward [REDACTED] and that the allegation has "stirred up years and
memories of pain." JF finally stated that the allegations are "Not true. Fantasy."

[REDACTED]

Cc: Review Board Members
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. Thomas Tivy, Vicar for Priests
Victim Assistance Ministry
John O'Malley, Legal Services



February 26, 2002

Francis Cardinal George
Archbishop of Chicago
1555 North State Parkway
Chicago, Illinois 60610

VIA HAND DELIVERY

Dear Cardinal George:

My name is [REDACTED] I was sexually abused by Joseph Fitzharris, a diocesan priest approximately 27 years ago. I was 10 years old at the time. Father Fitzharris, I hesitate to call him father, [REDACTED] He was assigned to various inner city parishes and, two or three times a year, would bring a number of parish children to my childhood home in [REDACTED] for a day in the suburbs. Fitzharris was loved by all the children and, it seemed, he loved them, legitimately, in return.

I now know that Fitzharris was and, unless he is deceased, remains a pedophile. His conduct was a betrayal of the complete trust I and all the other children placed in him. I loved him. I trusted him. He betrayed a child's trust. How sad and reprehensible.

My life has been profoundly affected by Fitzharris' conduct. I'm sure in many ways I can't and never will fully understand. After all, I'm not able to quantify how much happier, more secure etc., I would be if the abuse never occurred. What haunts me most is the knowledge that Fitzharris had unrestricted access to many under-privileged children, primarily Latino, whose parents undoubtedly placed their trust and the lives of their children in his care. They viewed him, I believe, as essentially infallible.

I understand that Fitzharris was exposed a number of years ago as a sexual predator. Until recently, it was my understanding that he had been defrocked. I now know that this is not true and that, until at least four to five years ago, he continued to serve as a parish priest in the Chicago Archdiocese. This discovery has been very disturbing to me because Fitzharris has, presumably, been provided continued access to yet another pool, yet another generation, of victims.

I fear and know in my heart that there are many, many boys and men who bear the heavy burden of having been sexually abused by Fitzharris. I am horrified by the thought that this conduct may be continuing as I write this letter. It is time, at least for me, to address this issue.

AOC 000765

In addition to the therapeutic value of writing this letter, I am seeking information and a formal response from you on the following issues:

1. What steps were taken to discipline Fitzharris;
2. What limitations were placed on his activities, i.e. was he precluded from working with children and adolescents and, if so, what steps were taken to monitor his compliance;
3. What treatment was he provided and, most importantly;
4. What guidance and counseling was and is being offered to the victims of this sexual predator.

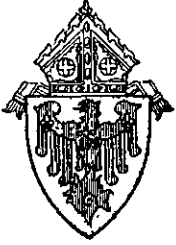
I know you face many challenges as the newly installed head of the Chicago Archdiocese. I will pray that God guides your decisions and that you find time in the next two weeks to respond to my letter. I would, of course, welcome the opportunity to meet with you to discuss the issues raised in this letter directly.

Please feel free to contact me direct at [REDACTED] (home). You may also write to me at the above address.

Take care,

[REDACTED]

h:\docs\personal\Fitzharris



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VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

October 3, 1994

Rev. Joseph Fitzharris
Cardinal Stritch Retreat House
Post Office Box 455
Mundelein, Illinois 60060

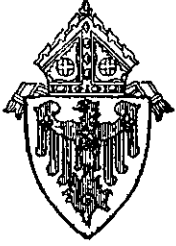
Dear Joe,

When I returned from vacation, John told me that you had sent out a letter requesting donations to pay off your mortgage. According to what I was told, you said in your letter that I was telling you that you had to resign from the priesthood. Apparently the Cardinal was greatly upset when he heard about the letter. And so am I since, as you know, I didn't tell you you had to leave. Rather, I presented you with the options of either following the program and protocol as designed or submitting your resignation. If you only emphasize one aspect of those options when speaking to people, then you are not telling the full truth, Joe.

I need to point out a couple of other things to you:

1. You remain under Canon 1044 with psychological impediments to ministry. This means you cannot celebrate Mass either as a concelebrant or in any other way. You are to exercise absolutely no ministry. When you were placed under Canon 1044 back in December, 1991, there was an opinion that exceptions could be made and, indeed, exceptions were made in your case. Since that time Rome has clarified Canon 1044 and has said that, if a man is under 1044, he can perform no ministry whatsoever. This means even private Masses. There are no longer any exceptions to that Canon 1044. If you have any questions about this, please call me.
2. You had mentioned the possibility of going to live in your house. You should know that if you were to do that, you would be in violation of your protocol and that could create some real problems. If, however, you were to submit your resignation to the Cardinal, and at the same time send me a copy of your letter, then you would of course no longer be under the jurisdiction of the Vicar for Priests Office. The

AOC 000767



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resignation is effective only when the Cardinal accepts it, and since he is out of town until the end of October, he would not be able to do so unless we were to contact him directly.

Please do not do anything foolish in this matter to jeopardize the arrangements that are being made right now. Again, if you have any questions, please give me a ring.

Fraternally yours,

Rev. Patrick O'Malley
Vicar for Priests



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Memo to File

From: Rev. Patrick O'Malley

Date: 7/4/94

Re: Joseph Fitzharris

After speaking to Bernadette Connolly on 7/2/94, I set up a meeting between Joseph Fitzharris and myself at St. Mary of the Lake on Sunday, 7/3/94 at 10:30 A.M. Joe and I met for about a half an hour. During that time I had another call from the Cardinal and shared the fruit of our meeting with the Cardinal. I told the Cardinal that Joseph is very unhappy down in St. Louis. [REDACTED]

[REDACTED] We must take his word seriously, of course.

[REDACTED] I told him that once he is back and settled, then we will figure out the next steps.

I told Joseph that we need to consider seriously whether or not he can continue being part of the Archdiocesan priests at this time.



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Memo to File
From: Rev. Patrick O'Malley
Date: 5/28/94
Re: Joseph Fitzharris

While in St. Louis on 5/27/94, I met with Fr. Joseph Fitzharris [REDACTED]

[REDACTED] Joe is not pleased with the new assignment. He has many complaints. He feels frustrated, uprooted, and at loose ends. I told him that I would convey his concerns to Fr. John O'Neill when I met him.

I then met with John and his side of the story is that Joe is a constant complainer. Joe is obviously ill at ease in the setting and is making no efforts to settle down. John felt that some word from us to Joe that he is going to be there and needs to make the best of the opportunity might be helpful. O'Neill feels they can put up with Joe, although they find it difficult and sometimes they have to ignore him in his constant whining.

After talking to Fr. O'Neill, I met with Fitzharris again for lunch along with another priest. I spoke to Joe about the necessity of settling in [REDACTED] and making the most of it. I told him it was not permanent. I told him, that in order to restore any kind of sense of trust with the Cardinal, he must cooperate in this venture. We had a nice lunch and Joe seemed to hear what I was saying. We shall see.

[REDACTED]
[REDACTED] I asked Joe not to be negative when he met and talked with him.



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VICAR FOR PRIESTS

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Fax: (312) 642-4933

May 16, 1994

Rev. Joseph Fitzharris
[REDACTED]

Dear Joe,

I was just making some plans today to get down to St. Louis on May 27 over to the Wahl Institute on some business and I was thinking of you and the others [REDACTED]. I hope things are going well for you. I know you're still in that adjustment stage at this point.

Bernadette was very impressed by the [REDACTED]. She told me that she thought it was like Ireland. [REDACTED]

[REDACTED] My impression over the last couple of years has been that, of all the fellows, you are the one who put your roots down the quickest to establish some kind of decent home for yourself. It really is our hope that we may have that problem in hand by the end of the summer. We are keeping our fingers crossed.

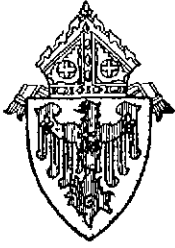
Not much happening back here, although we're still pretty busy. I don't know whether it will be possible to get [REDACTED] when I am down there on the 27th, but I'm going to look into the possibility just to drop by and maybe have lunch, say hello, and see how things are going.

In the meantime, I'm keeping you in my prayers and hoping that the Spirit, during this Pentecost time, will be in your life and grant you the understanding, the wisdom and the fortitude to follow through on this latest lap of your long journey. Take care.

Fraternally yours,

Rev. Patrick O'Malley
Vicar for Priests

AOC 000771



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VICAR FOR PRIESTS

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CHICAGO, ILLINOIS 60611

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Memo to File

From: Rev. Patrick O'Malley

Date: 4/27/94

Re: Joseph Fithzharris

I met with Bernadette Connolly and Fr. Joseph Fithzharris to go over the papers [REDACTED]

[REDACTED] Joe and Bernadette will gather those papers. Bernadette will go down on May 9 to the Home to talk with the people there about Joe's protocol and also to see the operation itself.



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

Memo to File

From: Rev. Patrick O'Malley
Date: 3/26/94
Re: Joseph Fitzharris

Fr. Canary and I met with Joseph Fitzharris accompanied by his lawyer, Rev. Patrick Lagges, on Friday, March 25, 1994. We explained to Fr. Fitzharris his options at this point:

- 1 - The Cardinal wishes him to go to Evergreen Hills, the Wounded Brothers Project, for the next step in his rehabilitation. Thus far, Fitzharris has declined to go.
- 2 - If he declines to go to the Project, then the Cardinal will ask him to go to a residential setting where he will be under supervision for as long as he remains a priest. We mentioned Cherry Valley and Albuquerque.
- 3 - Fr. Fitzharris obviously also has the option of leaving the priesthood, in which case we would prepare an exit package for him. Both Fr. Canary and I told Fr. Fitzharris that the Cardinal does not want this nor do we advise this option for him. Fr. Canary explained that we do not feel he should leave because of his age and his lack of skills to get a job in the job market at this time.

Fitzharris said he needed time to think over whether he should go to Evergreen Hills. Fr. Fitzharris asked if he might have sufficient time to prepare himself for the move to Evergreen Hills. We told him that he would have to make the decision fairly soon and we would certainly work out a reasonable amount of time for him. It would not be six months down the line, but it might be somewhere around the end of April or the beginning of May.

The meeting was fairly cordial. Fr. Fitzharris expressed regret that he had spoken so harshly to Fr. Canary recently. He seemed in a good place and he seemed to hear us properly.



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

Memo to File

From: Rev. Patrick O'Malley

Date: 2/19/94

Re: Joseph Fitzharris

[REDACTED] it is time he begin to look towards fashioning a future for himself which will help him make a contribution to society, or even in the Church itself. The Cardinal reiterated that Joe would not be going back into ministry. And that therefore he recommends that Joseph go to the Wounded Brothers project in Missouri.

We then spent some time explaining what the project was about, those who are running the project, the support that is a part of the project and the purpose for the project.

Joe felt that he has already begun to re-tool himself. The Cardinal acknowledged this, saying that he knew Joe was taking a psychology course and that he had been working at St. Theresa Hospital.

At one point Joe said that, as he understood the Cardinal, the Cardinal wanted Joe out of the diocese. The Cardinal was quite definite in confronting Joe at that moment to say that Joe had misunderstood. He explained very carefully to Joe that we had initially wanted this Wounded Brother project around Chicago but were unable to get an adequate location. The Cardinal said that he did not want Joe out of the diocese. He even foresaw the possibility that Joe would be coming back at some point. He could not say when exactly that time was. Since the program was to be designed with Joe in mind, a lot would depend on how Joe progressed. The Cardinal did say to Joe that it wouldn't be as short as a couple of months, but it wouldn't be as long as five years. It could be longer than five years if that is what Joe wanted to do, that is, make the site in Missouri his permanent home.

[REDACTED]



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

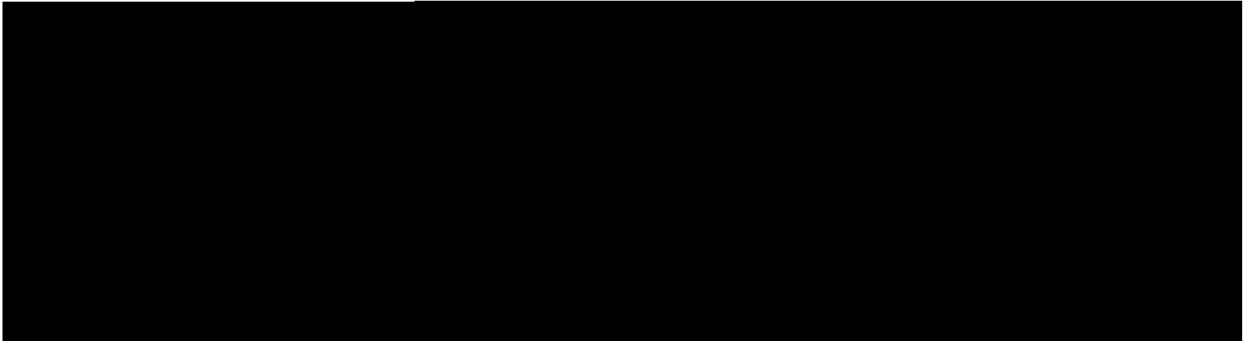
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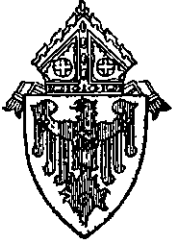
Off: (312) 642-1837

Fax: (312) 642-4933

Joe asked if any other Chicago people would be there and we said, yes. Joe asked us when we wanted him to go. We said we would like him to go down there by March 7, which would be approximately 3 weeks. Joe said he did not know if he could wind up his affairs in that time. I asked how long he would need. He said he did not know. I said we could extend it a week to the 14th of March. Joe and I will work on that aspect of his going down to St. Louis.

While he was obviously disturbed by this news, Joe Fitzharris seemed to handle it well. He asked the Cardinal if this was compulsory. The Cardinal said he did not like to put it that way, but if Joe was to continue to be part of the Archdiocese and make a contribution, the Cardinal felt that this was a good step forward.





ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

Memo to File

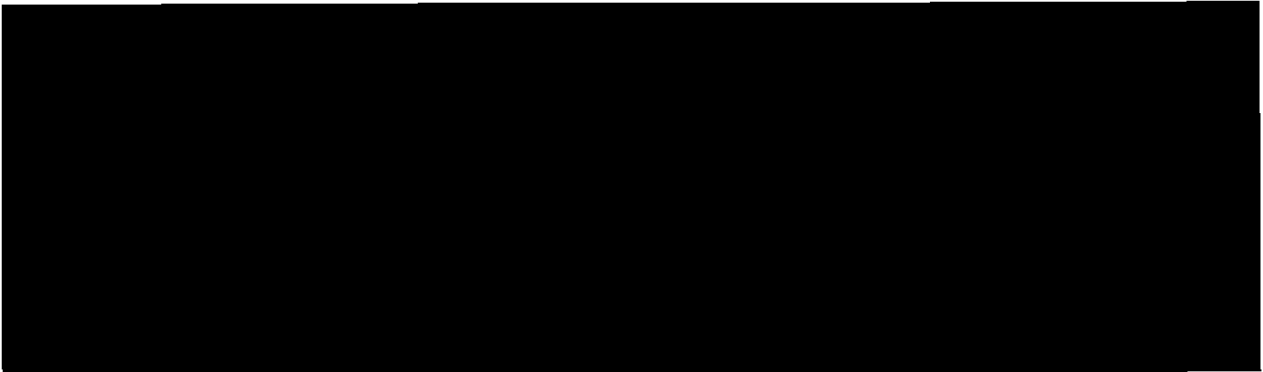
From: Rev. Patrick O'Malley

Date: 6/2/93

Re: Joseph Fitzharris

On 6/1/93 John Canary and I met with Joe Fitzharris at his apartment. We explained to him the meaning of Canon 1044 and what that means in terms of his ministry. We also explained to him how he would get out from underneath the 1044. We told him that we would need an assessment from an independent group. After he has dealt with the question of Canon 1044, then down the future, according to the direction given by the Cardinal, there may be a possibility of having his case reviewed by the Fitness Review Board.

We told him that there has to be at least two years between the time of the last incident with the adult, which would be around December of 1991, and when he might be able, at the Cardinal's permission, to go before the Fitness Review Board.





ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

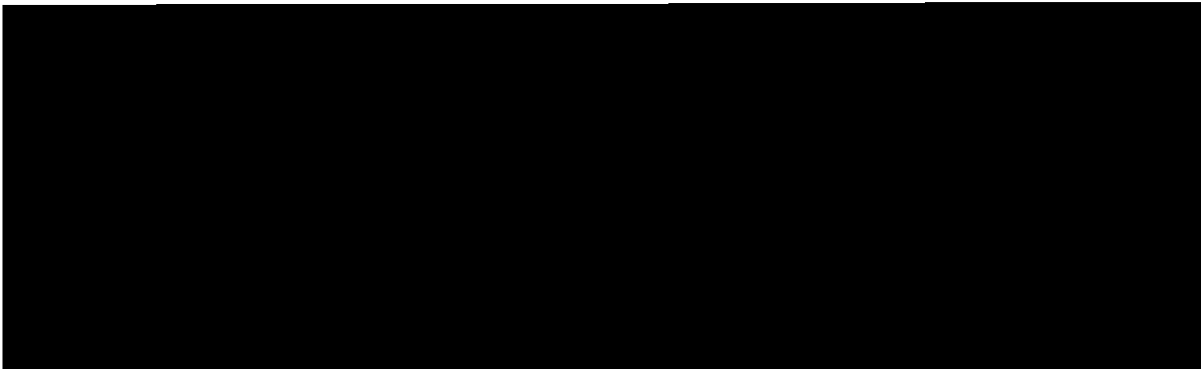
CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

Memo to File
From: Rev. Patrick O'Malley
Date: 5/11/93
Re: Joseph Fitzharris


Cardinal Bernardin, Fr. John Canary and I met with Joe Fitzharris at 4:30 on 5/10/93. We discussed Joe's request for partial return to ministry, i.e. working with sexual abusers at Trinity House. The Cardinal felt that there was no problem in giving him permission to do that and will speak to John Keenan about that possibility.

The Cardinal did advise Joe that he should get more training, that he should allow more time to elapse, and indeed that he has to build up his trust among other priests if he is to be effective outside of Trinity House. Whatever happens in the future will have to be studied carefully beforehand.



Another issue Joe talked about was Cooke's Manor and his feelings about staying there. The Cardinal sympathized with him. We said that that is our fall back place but we are looking for something else that would be more humane.

So the Cardinal in a post-meeting session with John and I felt that:

1. He could approve Joe's working at Trinity House
2. It was premature to address other things at this time.
3. 



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

Memo

To: Cardinal Bernardin
From: Rev. Patrick O'Malley
Date: 2/17/93
Re: Joseph Fitzharris

You received a letter from Joe on February 12, 1993, asking that you be present [REDACTED] John and I met with Joe on Tuesday, Feb. 16, and we advised him that you would not be present [REDACTED] but that he, the two of us and yourself could sit down afterwards and we could convey together [REDACTED]

I would suggest that you write Joe and tell him that you would be glad to meet with him with us present as soon as we have information. Joe also asked that Steve Sidlowski be present but, until his case is actually turned over to Steve, we do not know if that is a good idea. If, however, he gives permission for Steve to be present [REDACTED], then of course, Steve may be present, even though he does not know the background. If you have any more questions about this, please let me know.

AOC 000778

INDIVIDUAL SPECIFIC PROTOCOL
FOR REVEREND JOSEPH FITZHARRIS

I have reviewed, understood and agree to all requirements of this protocol:

- 1) Unaccompanied out-of-house activities include the following:

[REDACTED] - meals - every day
[REDACTED]

Visits with family, classmates and friends/including the [REDACTED] family from resident's previous parish/, playing tennis at Mid-Town Tennis Club, going to restaurants, theatres movies, libraries, pet stores, shopping, etc., - every day

Mass at Mercy Hospital and/or St. James Church - Sunday

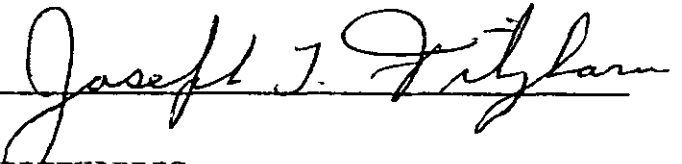
- 2) Attendance at all activities and specific names, addresses, time, telephone numbers regarding resident's whereabouts must be entered on the individual itinerary. If for some reason(s) the itemized requirements cannot be met, resident is obliged to call in and update the residence staff member about his whereabouts.
- 3) Resident is accountable for his own time and is required to support his attendance at social events with physical proof(s) i.e., movies ticket, receipt from restaurant, etc. If such proof(s) cannot be provided, resident is required to call in the residence staff member from the place of destination. The telephone number from where the call has been made may be verified by a staff member. Unlisted, unpublished will not suffice unless previously approved by Executive Director and/or designate. Using mobile telephone number is not permitted. Repeated unsuccessful attempts to reach resident at the given number will be followed by writing a memorandum. Such a memorandum will be kept at Vianney North Residence. In case of repeated violations copies of original memoranda will be forwarded to the Archdiocese Vicar for Priests [REDACTED]
- 4) In order to leave boundaries of Archdiocese resident must receive permission from the Vicar.
- 5) Contacts with [REDACTED] are not allowed unless special permission has been obtained from from the Vicar and/or the treatment team from [REDACTED].
- 6) Visitation by previously approved visitors can occur only at room 404. All visitors must sign in and out at the Community Room - apt. 104. No one under the age of eighteen is permitted to be at the residence unless prior approval has been received from the residence Executive Director, treatment team and/or the Vicar for Priests or designate. meeting with minors , in and out of the residence can take place only in the presence of an approved companion.

- 7) Any contraband materials i.e., alcohol, pornography can be confiscated. VCR is permitted at resident's apt.
- 8) Any deviation and/or non-compliance with requirements of this protocol will be addressed by the residence Executive Director and/or designate and may be grounds for modification of currently existing arrangements regarding resident's stay at NVR. Such modification will be collectively determined by the Archdiocese Vicar for Priests and/or designate in conjunction with Executive Director [REDACTED]. In case of emergency, any staff member can modify this protocol until an administrative decision can be made by Executive Director and/or designate.
- 9) In order to change this protocol prior approval must be obtained from The Archdiocese Vicar for Priests [REDACTED] team and the residence Executive Director.

This is a working document which can be changed, altered or superceded where there is an indicative need to do so.

A copy of this protocol will be kept on file [REDACTED] and a copy will be sent to the Archdiocese Vicar for Priests.

Signed:



Printed Name:

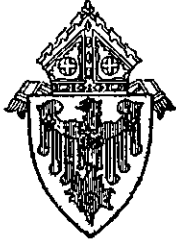
JOSEPH FITZHARRIS

Date:

AUGUST 15, 1992

Executive Director:





ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837
Fax: (312) 642-4933

TO: File (P. O'Malley)

DATE: March 24, 1992

RE: Joseph Fitzharris

I spoke to [REDACTED] today. [REDACTED] is the [REDACTED] woman
[REDACTED] Her work phone is [REDACTED]
[REDACTED] Her home phone is [REDACTED]

[REDACTED] bears a lot of guilt for what is happening to Joe. I told her it was not her fault. I asked her whether she had been getting counseling and she said that she had not yet followed up on the suggestion I had made. I recommended very strongly that she did seek help because she has many things that she needs to deal with herself. She said she would do so immediately after she hung up.

She wants Joe to know that she is sorry if everything did not work out as they had planned. I told her I would convey that message to him but that I had ordered him not to be in touch with her.



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

TO: File (P. O'Malley)

DATE: Feb. 11, 1992

RE: Joe Fitzharris

1. I spoke to [REDACTED] this afternoon. Her number is [REDACTED]. She had been referred to me by [REDACTED]. His number is [REDACTED]. I referred her to [REDACTED] in Oak Park, whom I had already contacted. [REDACTED] number is [REDACTED].

2. She told me that her family is kind of wiped out and she has no money whatsoever. I told her that please have [REDACTED] call me and I'll take care of the payments. This is the [REDACTED] lady whom Joe Fitzharris had occasion to be in company of and with whom he had some questionable experiences.



Off (312) 642-1837

ARCHDIOCESE OF CHICAGO
VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

TO: File (P. O'Malley)

DATE: Jan. 27, 1992

RE: Joe Fitzharris

1. I finally got in touch with [REDACTED]. He told me of a [REDACTED] woman who has come to him and has told him about her relationship with a priest, a relationship that is breaking up at this time. The priest is Joe Fitzharris, the woman is [REDACTED].

2. [REDACTED]

3. [REDACTED] suggested the name of [REDACTED], a Jesuit, whom he knew when he worked there in Chicago. He might be able to help in this kind of trouble.

4. [REDACTED] number at work is [REDACTED]. [REDACTED] will call her and let her know I will be getting in touch. I do not know exactly how to handle this, but I will talk to others about it.

January 12, 1992

INDIVIDUAL SPECIFIC PROTOCOL

For Joseph Fitzharris

I have reviewed, understand, and agree to all requirements of The Residence Protocol, and the following items:

1) Restricted to the Residence for minimum 30 days, to extended if following conditions not met:

██████████ must move out of house within one month
Detailed list of assets given to the Vicar or designate
Trustee account to be turned over to the Archdiocese
Must not raise funds for any purpose

2) Cannot leave boundaries of the Archdiocese /Lake County, Cook County/

3) No unapproved contacts with ██████████

4) Family visits out of residence are to be staff-accompanied.

5) May not go to tennis club.

6) Cannot celebrate mass.

7) Review of restriction needed/and protocol requirements/ to occur at end of 30 day restriction.

8) Only approved family members can be responsible parties for out-of-residence trips.

9)



10) Attendance at all activities and the specific names, addresses, time and telephone numbers regarding resident's must be entered on the individual itinerary.

11) It is the resident's responsibility to be reachable at any given time. Resident is accountable for his own time and is required to support his attendance at social events with physical proof/i.e., movie ticket, receipt from restaurant, etc./. If such proof cannot be provided, resident is required to call the residence staff member from the place of destination. Resident out of residence is to call in every two hours. The telephone number from where the call has been made will be verified by a staff member. Unlisted unpublished and mobile telephone numbers will not suffice. A 72 hour restriction to the Residence will result if resident is not reachable after three attempts. Unsuccessful attempts to reach resident at the given number will be

11 cont) followed by writing a memorandum. Such a memorandum will be kept on file at the Vianney North Residence. In case of repeated violations, copies of original memoranda will be forwarded to the Archdiocese Vicar for Priests [REDACTED]

12) Any contraband materials/i.e., alcohol, VCR's, pornography/can be confiscated.

13) No one under the age of eighteen is permitted to be at the Residence unless prior approval has been received from the Residence Executive Director, treatment team, and the Archdiocese Vicar for Priests or designate. Meetings with minors, in and out of the Residence, can take place only in the presence of an approved companion.

14) Any deviation and/or non-compliance with requirements of the Individual Specific Protocol will be addresses by the Residence Executive Director and/or designate and may be grounds for modification of currently existing unaccompanied out-of-house privileges. Such modification will be collectively determined by the Archdiocese Vicar for Priests and/or designate/other referring authority in conjunction with the Residence Executive Director [REDACTED] Staff. In case of emergency, any staff member can modify the Individual Specific Protocol until an administrative decision can be made by the Residence Executive Director and/or designate.

15) In order to change the Individual Specific Protocol and/or items within the protocol, prior approval must be received from the treatment team in conjunction with the Residence Executive Director.

This is a working document which can be changed, altered, or superceded where there is an indicated need to do so.

Signed: [Signature]

Printed Name: JOSEPH FITZHARRIS

Date: Jan 3 1992

Executive Director: [Signature]

A copy of this protocol will be kept on file at [REDACTED] and a copy will be sent to the Archdiocese Vicar for Priests.

IN ADDITION:

16) Car keys to be checked in at the Community Room.

17) Visitation by previously approved visitors can occur only at room 404, all visitors must sign in and out at the Community Room.

Signed: [Signature]

Date: 3/5/92

Executive Director: [Signature]

ARCHDIOCESE OF CHICAGO

HIS EMINENCE
Episcopal Vicars
Department Directors
Father Goedert
Father Velo
Father Hynous
Father Shaw/Father Flinn
Communications
Secretaries

His Eminence, Joseph Cardinal Bernardin, announces the following appointments:

PASTOR EMERITUS

Reverend Edward S. Maraczewski, from Director of Pastoral Care of Holy Family Hospital, to be Pastor Emeritus of Saint Anastasia Parish where he served as pastor from 1971 to 1986.

ASSOCIATE PASTOR

Reverend Jesus Esplana to be Associate Pastor at Saint Veronica Parish.

Reverend Joseph L. Fitzharris, from Sabbatical to be Associate Pastor at Saint Pascal Parish.

Dated at the Office of the Archbishop
December 19, 1989



Off. (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

TO: File (R. Goedert)

DATE: Dec. 18, 1989

RE: Joseph Fitzharris

1. Ken Velo asked if we wanted Joe's appointment announced in the New World. My first reaction was, "no". I wasn't sure if we had announced the original appointment to St. Genevieve.
2. Ken suggested that we could announce it as returning from sabbatical and going to St. Pascal's. I thought that that would be fine.



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

December 13, 1989

Dear Father Fitzharris:

I am pleased to appoint you as Associate Pastor to the Reverend Gary Miller, Pastor of Saint Pascal Parish, Chicago. As you know, this appointment was made in consultation with the Vicar for Priests and the Diocesan Priests' Personnel Board. This appointment becomes effective immediately.

Please speak with the pastor regarding the necessary arrangements and also consult with him to formulate a letter of agreement and job description in accord with the Senate guidelines regarding personnel. A copy of this agreement and job description should be sent to the Priests' Personnel Board by January 15, 1990.

As you begin your new assignment, Joe, rest assured you are in my thoughts and prayers. I am confident that Our Lord will bless your ministry at Saint Pascal's as He has throughout your many years of service in the Archdiocese.

With cordial good wishes, I remain

Sincerely yours in Christ,

Kenneth Velo
Ecclesiastical Notary

Joseph Carl Bernardin
Archbishop of Chicago

Reverend Joseph L. Fitzharris
Saint Pascal Parish
3935 N. Melvina Avenue
Chicago, Illinois 60634

cc: Reverend Gary Miller
Reverend Raymond E. Goedert ✓
Diocesan Priests' Personnel Board

AOC 000788



ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: Cardinal Bernardin

FROM: Rev. Raymond Goedert *RG*

DATE: Dec. 2, 1989

RE: Joseph Fitzharris

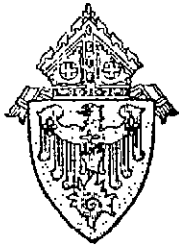
1. Joe Fitzharris is presently on a sabbatical at Notre Dame which will conclude on Dec. 15. He has been in touch with the Personnel Board and myself, and is requesting a change of assignment.

2. As you know, Joe was appointed as associate pastor to Tom Maher at St. Genevieve on Jan. 8, 1988. Joe now indicates that he is unhappy at St. Genevieve, finds no companionship there, and feels unchallenged. That, of course, is Joe's perception and what the reality is, who knows? But Joe would prefer not having to return to St. Genevieve when his sabbatical ends on Dec. 15.

3. Working with Ray Cusack, Joe has expressed interest in going to St. Pascal's where Gary Miller is the pastor. I have discussed this with Gary and he is willing to have Joe be appointed. Gary is aware of Joe's problems and I will be meeting with him on Dec. 7, just to go over what his responsibility would be as the on-site supervisor, if the appointment is made.

4. I would appreciate it if you would let me know if you will agree to this transfer of Joe from St. Genevieve to St. Pascal?

1-7/89 - Ken Volo said Card. OK'd this. I will prepare a letter of appt. for Joe.



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

TO: File (R. Goedert)

DATE: Nov. 28, 1989

RE: Joseph Fitzharris

1. I received a phone call from Joe. He wanted to know if I had heard anything yet. I told him that Gary Miller had called and that he was very open to receiving Joe, but that he wanted a little more time to think about it. Gary promised to get back to me in the next day or two.

2. I asked Joe if he was quite definite in going to St. Pascal if Gary does say "yes". In other words, I wanted to know if Joe has any other irons in the fire. Joe said that Hennessey at St. Isaac Jogues had indicated that he was not interested in a priest, as he had just hired a Pastoral Associate. And Ron Kalas at Mary Seat of Wisdom had indicated that he wanted a younger priest. So Joe definitely will go to St. Pascal, if Gary will allow it.

3. I just hung up on Joe's conversation when the phone rang and it was Gary Miller. Gary said he thought it over, prayed over it and is quite willing to accept Joe. Gary had also informed Ray Cusack of his decision to accept Joe. Gary will get together with me on Dec. 7 and I will go over with him some of the responsibilities as an on-site supervisor. I had wanted to meet with Gary and Joe together, but Joe preferred to have this done as quickly as possible and so he asked if I would meet with Gary without him.

4. I then called Ray Cusack and told him that I was quite agreeable to Joe going to St. Pascal's. Ray had informed Joe that he would have to run it by the Personnel Board on Friday, and Joe was reluctant to have any mention of my name attached to it. I told Ray that it would probably be better if the appointment just came directly from the Cardinal through me, rather than to present it to the Personnel Board. Since the Board would have no opportunity to question me, it would seem unfair to the Board to even present it to them for discussion.

5. I will call Joe on Thursday and let him know the decision. I will then send a letter to the Cardinal asking him to make the appointment.

6. Ray Cusack said that Joe preferred not to have to say anything himself to Tom Maher. He had hoped that Ray Cusack would do that for him. I told Ray I didn't think that that was being man enough on Joe's part and that I will talk to Joe about it. I think he has the responsibility to tell Tom Maher that he wants to leave and why.

IN THE CIRCUIT COURT OF COOK COUNTY 1st

People of the State of Illinois OR

A Mun. Corp.

vs

Joseph Fitzharris Respondent

IR 793855

S.I.D.

Municipal District 1st

Case No. 86-234071

Charge(s) Criminal Sexual Abuse

Term of () Probation () Conditional Discharge

X Supervision

for a period of 1 year

() Final Check Date 5-3-1988

Reporting or X Non-Reporting

ORDER

SENTENCE OF PROBATION, CONDITIONAL DISCHARGE OR SUPERVISION

The Court orders that Probation, Conditional Discharge, or Supervision is subject to the following conditions - that the defendant shall.

- (x) Not violate any penal offense of any jurisdiction.
(x) Refrain from possessing a firearm or other dangerous weapon.
(x) Appear within 72 hours before the Adult Probation Department or Social Service Department and comply with its rules and regulations
(x) Not leave the State of Illinois without the consent of the Court or without prior notification and approval of the Adult Probation Department or Social Service Department.
Notify the Adult Probation Department or Social Service Department within 72 hours of change of address.
() Return in person before the Court on

- () Make Restitution to
in the amount of
through (Probation) (Social Service) on or before
() Pay Fine and Court Costs of on or before
() Complete Alcohol and Drug Education Services Evaluation and follow recommendations.
() Avoid contact with
() Perform hours of community service as directed by the Social Service Department if qualified.
() Periodic Imprisonment (Work Release).

NOTE: A separate form is to be completed

at Room and answer questions concerning your conduct

OTHER

- (3) Fitzharris is not to have any unsupervised contact with children 11 and under
(4) Judge Nudelman is to be informed of any reassignments of Fitzharris
(5) Supervisor of Fitzharris is to follow Judge Nudelman
(6) Fitzharris is to notify the court, Judge Nudelman

DATED: 5-4-87

Signature of Judge Nudelman, Judge

I acknowledge receipt of this Order and agree to abide by the conditions. I agree to accept any notices by regular mail the address below or any change of address and answer any questions asked by the Court about my behavior. I understand that a failure to follow the conditions of this sentence or disposition could result in a new sentence up to the maximum penalty for the offense which is before Court

Signature of Joseph Fitzharris, Defendant's Signature

3021 N DAYTON, Defendant's Address

Redacted area, Defendant's Phone Number

Redacted area, Defendant's Date of Birth

Norma Reyes, Assistant State's Attorney



Off: (312) 642-1837

ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET SUITE 311
CHICAGO, ILLINOIS 60610

TO: File (R. Goedert)

DATE: April 18, 1989

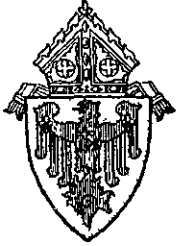
RE: Joseph Fitzharris

[REDACTED]

2. I called Joe. I explained what Notre Dame wanted and read to him from the additional questionnaire that whoever writes the letter would have to fill out. Joe was confused as to why I was involved at all. He said that he was told that the letters should come from Wayne Prist and the Bishop. When he asked whether or not that meant the Cardinal, he was told that anyone of the Bishops would do. Joe wanted to know if I would send it to Bishop Jakubowski, the Vicar of his area. I told him that I preferred not to do anything, as the minute I become involved, people right away no that there is something wrong. I would rather not give rise to any suspicions. I told Joe that if he wanted to do that himself, he was welcome to do it. Joe said he will call Notre Dame tomorrow and ask them to send the forms to Bishop Jakubowski.

[REDACTED]

AOC 000792



ARCHDIOCESE OF CHICAGO

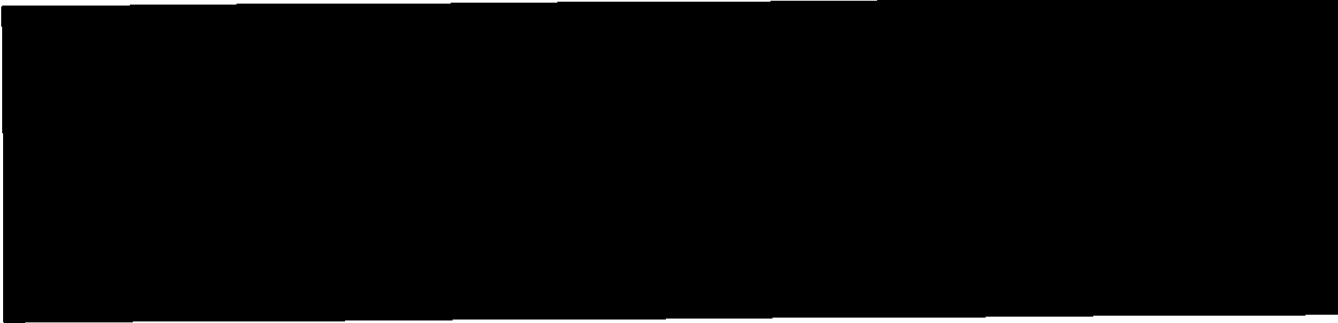
VICAR FOR PRIESTS

800 NORTH CLARK STREET, SUITE 311

CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: FILE
DATE: April 13, 1989
SUBJECT: Joseph Fitzharris



3. I discussed this in general terms with Wayne Prist on the occasion of the overnight at the seminary on April 11. Wayne does not know what the problem is as far as Joe is concerned, although he does know that Joe has some difficulty, because when Joe made his original request for a Sabbatical, he asked Wayne to get in touch with me. Wayne is also aware that there is some personality problem with Joe and he could mention that in his own letter, if he decides to send it. But Wayne is also concerned as to his responsibility not to recommend people that we would consider to be seriously disturbed, etc. I had to dance around this question on Wayne's part, because I did not want to state explicitly exactly what Joe's problem is. Based on my experience with the Menlo Park program, I feel quite sure that Notre Dame would exclude Joe.




ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS
800 NORTH CLARK STREET, SUITE 311
CHICAGO, ILLINOIS 60610

Off: (312) 642-1837

TO: FILE
DATE: April 7, 1989
SUBJECT: Joseph Fitzharris

1. Merle Ann, from Wayne Prist's office called. She said that Fr. Fitzharris intends to take the rest of his sabbatical. He had originally been given six months, but he broke it up into three sections. The final section is from August through December 15th at Notre Dame.
2. Notre Dame has required two letters of recommendation for all participants. Wayne Prist has sent his letter and thought that I would send the other. Merle Ann, indicated, that those who send letters of recommendaiton will receive a follow up letter from Notre Dame in which they ask some very specific questions such as does the person have any physical problems? does the person have any amotional problems? does the person have any drug or alcohol addiction or sexual disorders, pedifilia, etc.
3. I did not let on to Merle Ann what the problem was, but I suggested that it would not be proper for me to send the letter. I could send the initial letter, but I would be violating confidentiality if I were to respond to the second questionnaire. I told her I would talk to Wayne Prist about this on Monday. Joe is not aware of the contents of the second letter that would have to be written. Apparently that is why he thought it would be fine if the Sabbatical Board and the Cardinal or myself wrote the letter for him.

 **vatican II**
institute for CLERGY FORMATION

May 23, 1988

Rev. Joseph F. Fitzharris
Good Shepherd Catholic Church
2719 South Kolin Avenue
Chicago, Illinois 60623

Dear Father Fitzharris,

It has become necessary to re-consider your application to the Vatican II Institute. In your letter of Oct. 31, 1987 you mentioned that "last year was a very difficult year for me due to burn-out and other reasons". You did not specify the other reasons but quite inadvertently these reasons were brought to our attention.

I am in no way condemning you or passing judgment on you. Although we would very much like to help you, we do not feel that our type of program would be helpful for you. I deeply regret that we are unable to accept you into the Fall 1988 session as previously planned and will be returning the board-tuition amount of \$3150 to your Center for Development in Ministry.


This decision was not reached lightly. Much thought, prayer and many consultations with our Board of Directors were under-taken and we feel that the decision is correct. I will be calling you within a few days after you receive this letter to talk to you personally.

In the meantime you may want to talk to your Vicar for Priests, Father Raymond Goedert to whom I am sending a copy of this letter. I have been in touch with Father Goedert though he is not the person through whom we discovered your situation. Indeed, Ray was very much on your side and would have preferred that we had come to an affirmative decision for you.

Until I talk to you on the telephone, I remain

Sincerely yours in the Lord,


(Rev) Leonard E. Racki
Associate Director

cc: Rev Raymond Goedert 



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

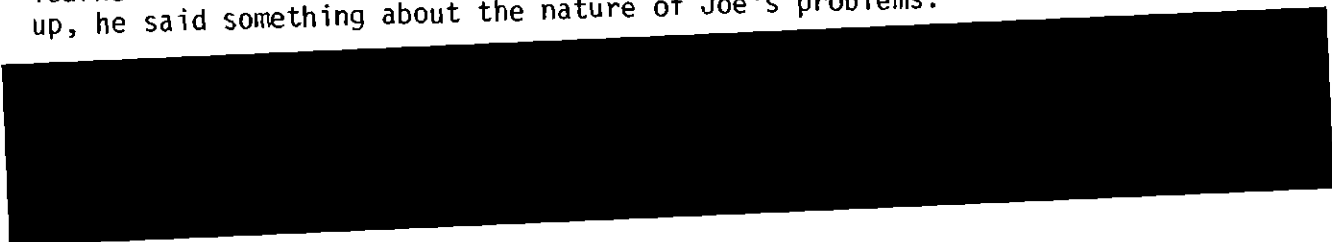
CHICAGO, ILLINOIS 60690

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off (312) 642-1837

TO: File
DATE: May 10, 1988
RE: Joseph Fitzharris

1. I received a phone call from Rev. Leonard Racki, the Associate Director of the Vatican II Institute at Menlo Park. (phone: 415-325-9122). Len said that he and the director had discussed the matter and they really felt it would not be good for Joe Fitzharris to come out there. The program is a wholistic program, not geared to offer therapy, etc. A great deal of emphasis is placed on community building. One person could destroy a lot of stuff. Len does not feel Joe would be receiving any help there. There is a lot of in-depth sharing that goes on, and Joe would not be able to talk about his problems.

2. I asked Len how it came about that he was aware of Joe's problems. He said it was strictly by chance. Fr. Tucker happens to be a Sulpician and he just mentioned off the cuff one day that a Chicago priest would be coming out for the program. Fr. Tucker gives a lecture on stress to this program. Len happened to be talking to Larry Maddock who is in the program and mentioned that a Chicago priest was coming. When Len mentioned his name, he could see immediately from Larry's expression that there was something amiss. When he pursued it, he learned that Joe had problems, etc. Also, when Tucker first brought the matter up, he said something about the nature of Joe's problems.



PHONE CALL

FOR _____	DATE <u>5-10</u>	TIME <u>3:25</u> AM PM
M <u>Fr. Racki</u>		
OF _____		TELEPHONED
PHONE <u>(415) 325-9122 California</u>	AREA CODE NUMBER EXTENSION	RETURNED YOUR CALL
MESSAGE <u>Important</u>		PLEASE CALL <input checked="" type="checkbox"/>
		WILL CALL AGAIN
		CAME TO SEE YOU
		WANTS TO SEE YOU
SIGNED _____		TOPS FORM 4003



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

TO: File
DATE: May 10, 1988
RE: Joseph Fitzharris

1. Joe called today. He said that the court supervision ended May 3. A year from now the attorney can petition to have the entire record expunged. I suggested to Joe that he mark it down on his calendar and I would put it in the case file.

2. Joe is leaving for the Trappist monastery in Snow Mass in August. He will be there three or four weeks. [REDACTED]
He will then be going to Menlo Park in September and his term there will finish December 15, at which time he will return to Chicago. He originally intended to go to Bangladesh in January, but he has put that on hold. He and Jim Flynn are supposed to be going to China in June, 1989. [REDACTED]
[REDACTED]

AOC 000797



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

TO: File
DATE: March 11, 1988
RE: Joseph Fitzharris

1. I met with Tom Maher, the pastor of St. Genevieve's, today. The purpose was to see how Joe Fitzharris has been doing since his arrival in January.
2. Tom indicated that the parishioners have reacted very positively to Joe. His homilies apparently are pretty good, because Tom receives positive vibrations from the parishioners about them.
3. Joe shows up at parish activities and seems to be actively involved. One of the things that surprises Tom is that Joe seems to know a lot of people. Apparently a number of parishioners from St. Francis Xavier on Nelson Street have moved further west and ended up in St. Genevieve's, so there seems to be a lot of connections.
4. Within the house there are no particular problems. Joe seems to be friendly enough and Tom is not aware of any difficulties. Tom recognizes that Joe has other commitments [REDACTED] etc., so there are a lot of times when Joe is not around, but what Joe does do, he seems to do well. As far as Tom knows, Joe is keeping up with his various commitments [REDACTED]
5. To the question as to whether Joe seemed happy there at St. Genevieve, Tom said he didn't quite know how to answer, but Joe doesn't complain. On the other hand, Joe doesn't go out of his way to communicate with Tom. But basically there seems to be no problem. Joe relates well to the Spanish and he seems to be very sensitive to the poor.
6. I asked Tom whether Joe has ever violated the mandate to avoid all unsupervised activities with young people under the age of 18. Tom said that he only noticed on one occasion, around 6:30 or 7:30 in the evening, a boy went up with Joe to his room. Tom was not aware of anything beyond that. When I asked him what he thought the age of the boy was, Tom thought he was around 18 or 19. Tom has no reason for thinking anything inappropriate happened. I will have to check Joe on this when he comes in to see me.

AOC 000798



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

TO: File
DATE: Dec. 31, 1987
RE: Joseph Fitzharris

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off. (312) 642-1837

1. I met with Joe and Tom Maher at St. Genevieve Rectory (237-3011) at 2 PM today. I began the meeting by asking Joe to simply fill in Tom again on what the nature of his problem is. Joe stated the situation clearly enough and I simply added the precaution that Joe not be in an unsupervised situation with high school age boys. I also told Tom Maher that he should do his best to make sure that people do not pressure Joe into working with that age group. I told both Joe and Tom that I would be in touch with them from time to time just to see how things were going. At the end of our meeting, Tom was still in agreement to accept Joe.
2. I spoke to Cardinal Bernardin later on in the evening and he gave his OK to the appointment.

Jan. 2, 1988

I called Tom Maher and Joe Fitzharris and let them both know that the appointment has been approved by the Cardinal. Joe is making arrangements to move in next Saturday, Jan. 9.

In my conversation with the Cardinal Saturday evening I mentioned to him the mistake in the letter which he sent concerning Joe's sabbatical. I suggested that he let Joe know that "fifteen" was a typist error. I did not want Joe to be hurt by thinking people don't know how long he has been ordained.

In talking to Joe, I reminded him of the necessity of notifying the Court of a change of address. I suggested to Joe that he talk to Pat Tuite, his lawyer, and Joe agreed that he would do this on Monday or shortly thereafter.

AOC 000799



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

TO: File
DATE: Dec. 21, 1987
RE: Joe Fitzharris

I spoke to Joe today. I told him that Tom Maher had OK'd his coming there. I told him that I mentioned to Tom the nature of Joe's problem and asked him to think about it. Tom called the next day and said he was still open to it. He also mentioned that he had talked to the other two associates and they also were open to it. This took me by surprise, as I had not expected Tom to say anything to anyone else. On the other hand, I don't recall not to say anything. When I mentioned this to Joe I think he was a little upset. I suggested to Joe that he ask Tom just how much he said to the other two.

I also told Joe to tell Tom as much as he could [REDACTED] Joe will call me after he and Tom have met. I then will probably arrange to meet with Tom and Joe and talk over the whole situation. I also suggested that it be done in writing.

AOC 000800



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

TO: File
DATE: Dec. 16, 1987
RE: Joe Fitzharris

1. I received a call from Frank Cimarrusti. He told me to call Tom Maher at St. Genevieve's. Tom is open to receive Joe as an associate, but Frank told Tom that I would have to talk to him first before he makes a final decision.
2. I called Tom Maher on Dec. 17 and indicated to him the nature of Joe's problem. I gave him only the barest essentials, just so that he would know what the situation is. He was taken aback by the revelation, as he wasn't prepared for it. I told him that this would have to be confidential, but I would understand if he would want a day or so to think about it. Tom said that he would call me the following day.
3. Tom Maher called me Dec. 18. He said that he was still open to receiving Joe. He did mention that he told the other two associates the nature of Joe's problem to see whether they would be willing to have him come. Tom admitted that he forgot about the confidentiality aspect. At any rate, both the associates were open to having Joe come. Interestingly enough, one of the associates was on retreat with Joe and Joe made mention of his problem as being one of alcoholism and women. What that is all about, I do not know, but it appears as though Joe was not prepared to tell the truth to them. Just why the matter even came up, was not clear to Tom Maher.

rusti. The bottom line for Tom was that we have to help priests like this, as long as I can assure Tom that there is nothing irresponsible about what we are doing.

5. I called Frank Cimarrusti immediately to let him know that Tom Maher is willing. Frank will contact Joe and get back to me.

AOC 000801



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

TO: File
DATE: December 7, 1987
RE: Joseph Fitzharris

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837

Frank Cimarrusti said that Joe came to see him and looked over the list of possible parishes. Joe selected Our Lady of Mercy as his first choice, Our Lady of Grace and St. Genevieve as additional choices. Don Headley was concerned as to whether his budget could afford Joe. Moreover, he feels that Joe can be very hard on a staff. So Don appears to be negative. Our Lady of Grace was also negative, in view of the fact that McDonald is supposed to go there. Tom Maher at Genevieve's expressed interest. The Board seemed to feel that Joe ought to go on medical leave but give him a residence. If Our Lady of Mercy and St. Genevieve's say "no" Frank will get back to me.

GOOD SHEPHERD CATHOLIC CHURCH

2719 SOUTH KOLIN AVENUE • CHICAGO, ILLINOIS 60623
PHONE (312) 762-2322

October 27, 1987

Dear Ray,

How are things going? I hope you are still remaining strong and hopeful with all that you encounter. I am sure it is not easy and I for you.

I realize that I am a little slow in writing. One reason is to find the time. Another reason is that nothing really has changed from the other times that I have written you regarding Joe Fitzharris. Joe is still very much withdrawn and speaks very little. All he has really done at Good Shepherd is celebrate weekly and Sunday Mass, which totals about four to five Masses a week. He has also taken two funerals. He is generally gone from the rectory. Last week he took three days off. This week he is on retreat. Next week he plans to visit his sister for a week in Iowa. As I mentioned in my last letter, when he is present there is a sense of uneasiness. At meals, the few that we have all had together, the conversation is contrived and heavy. The other Saturday, at breakfast, Joe quickly mentioned something about having dinner with his sister and friend who were in visiting Chicago. I presumed, they were going out somewhere. When I went down for supper that evening, there were extra plates on the table and I asked the cook what was up. She said that Fr. Joe had told her the day before that he was bringing people to supper. I was upset and so was Jim, especially when they all came forty-five minutes late. Jim Kastigar and I had basically finished eating. They came in as if we were not there, continuing their conversation. Jim got up and left. I stayed to be polite, but again, being uncomfortable, excused myself and left. The difficulty was that our cook, being a very humble and dedicated person, stayed to take care of them and then did the cleaning up. She had another commitment that evening for which she was late. I was upset because it was a surprise for me and Jim - and that as on other occasions, I find things out through a third party.

I felt as though I had little to write this time, since everything is basically the same. What I did do was to go over the contract that was made with Tom Ventura. In terms of Joe's other commitments [REDACTED] I know very little since Joe has said very little. Once in awhile Joe would mention that he was going on an overnite to the retreat house. He has said nothing concerning [REDACTED] I presume he has been going. In terms of parish work, as I mentioned above, it has mainly dealt with celebrating Mass. In the contract, under #6. Parish Work: the hospital visiting - very little was done, if at all. There was no assisting of the undocumented or home visiting that I know of.

Ray, my concern now is that Joe's six month assignment will be coming to a close on December 15th. - less than a month a half away. Nothing has been said or planned as to what will happen on that date. I personally would find it extremely hard for Joe to stay here. He expresses no interest in the parish or what is going on. He basically uses Good Shepherd to eat and sleep - when he is here. I find it very difficult to support this type of "country-club" lifestyle when mostly everyone else is working very hard. If the purpose of Joe's stay here was to "re-enter"

AOC 000803

ministry, I feel it did not take place. I hope we can meet to discuss what will happen, before December 15th is upon us.

Sincerely yours in Christ,

Don Lund

TO: file

6 July 1987

FROM: T. Ventura

RE: Rev. Joseph FITZHARRIS

- 11-12-86: Call from Sister Mary Catherine, student counselor at St. Gregory H.S. concerning accusations by a girl, [REDACTED], age 16, of sexual abuse by Fr. Joseph Fitzharris. She stated that she has already reported the accusation to the police. I went to the school, met with Sister Catherine, the boy and the police, contacted Archbishop's lawyer for legal advice, and went to St. Bartholomew Parish, Waukegan, to inform Fr. and his pastor of the fact of the accusations. I told him that, until this is resolved, he will be placed on inactive duty and will live temporarily at St. Sebastian Rectory. I also recommended that he get legal counsel. He was shocked by this news and cooperated with my instructions. Sister Catherine stated that she would care for [REDACTED] and his family.
- 11-13-86: Fr. lawyer will be Patrick Tuite and Non Nolan.
- 11-14-86: [REDACTED]

11-19-86: [REDACTED]

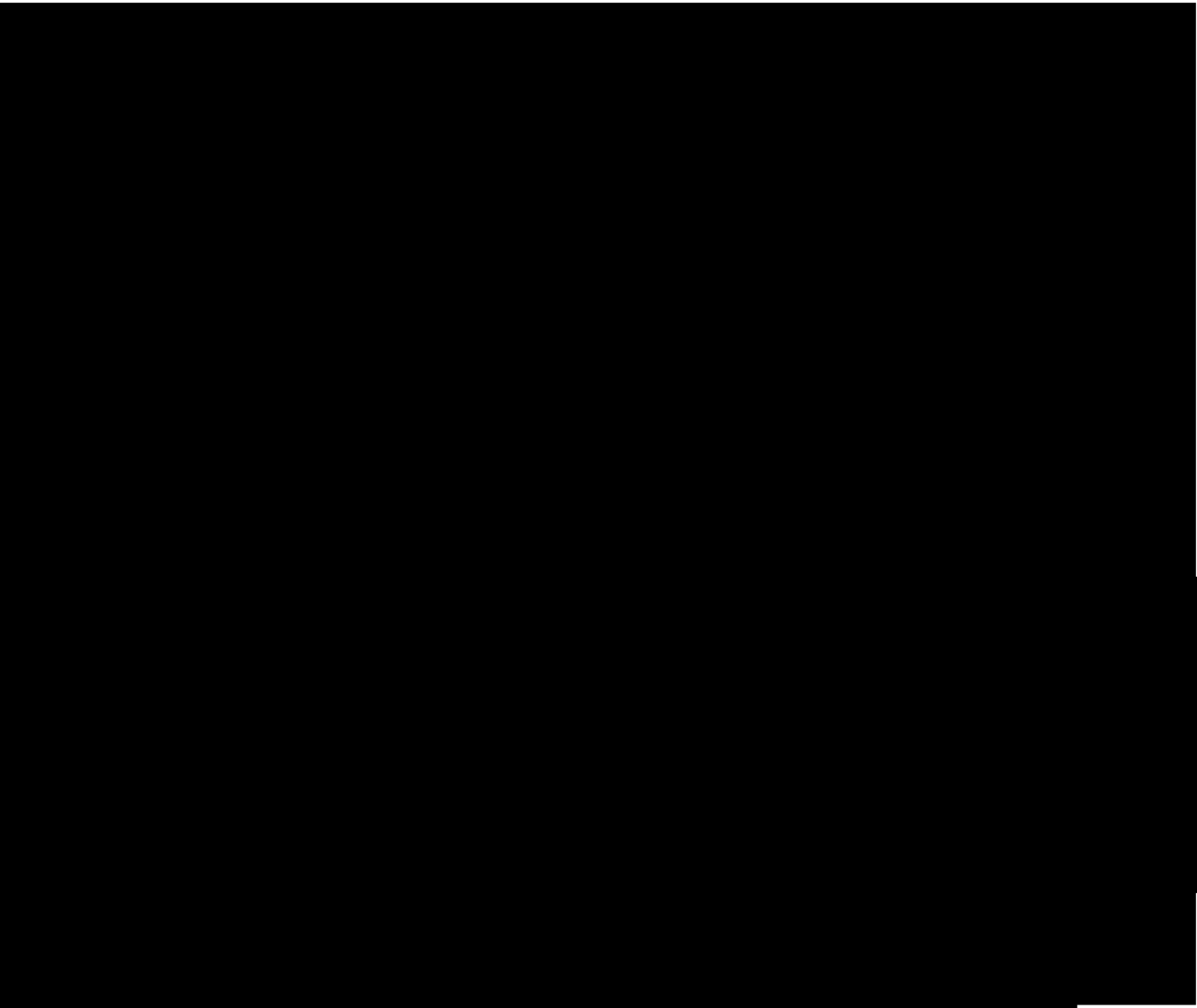
11-17-86: [REDACTED]



11-18-86: Request from Rev. R. Kealy, Chancellor, for basic data so he can inform insurance company.

12-2-86: Case will be transferred to Court at 13th and Michigan with a hearing scheduled in January.

12-5-86:



12-15-86

12-15-86

12-26-86

Court date on 1-16-87. He finds The Court delays very difficult to deal with and is concerned about the negative effect that might be having on [redacted] also.

1-16-87: Hearing has been continued. This is a major disappointment for F. He had hoped to have it resolved one way or the other.

2-4-87:

2-11-87

2-27-87:

2-27-87:

3-18-87:

5-4-87: Case is finally resolved with a one year court supervision directed by Judge Needleman of the Circuit Court of Cook County.


5-11-87: Discussion of the future with F. He will

will arrange a temporary assignment to be evaluated at the end of six months. He must strictly and totally observe the conditions of the court supervision especially to have absolutely no unsupervised contact with children or young people under age 17.


5-18-87:



5-22-87:

 He is very hopeful. Also discussed placement possibilities, guidelines etc.

6-5-87:

Meeting with F. and prospective pastor, Rev. D. J. J. to discuss background, terms of assignment,  supervision etc. (cf. 6-5-87 memo of understanding situation to be reevaluated 12-15-87).

6-23-87:

Memo to R. Goedert, new Vicar for Priests, reminding him to set date for future supervisory sessions with F.



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

June 6, 1987

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837
Res: (312) 528-0540

TO: Mary Ann Penczak
FROM: Fr. Tom Ventura TV
RE: Fr. Joseph Fitzharris

1. Fr. Joseph Fitzharris ('62) will have a 6 month temporary assignment from June 15 to December 15, 1987 at Good Shepherd Parish, Chicago. At the end of that period we hope that he will be able to accept a permanent assignment through the Personnel Board.
2. During that period please continue to pay him a regular salary and maintain him on health and automobile insurance coverage. Also, he is eligible to draw on 50% of his annual allocation for continuing education.
3. His new address: Good Shepherd Parish
2719 S. Kolin
Chgo., IL 60623
phone: 762-2322

copy: Ray Ranas, Payroll Dept.
Fr. Joseph Fitzharris
Fr. Raymond Goedert

AOC 000810



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

June 5, 1987

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off. (312) 642-1837
Res (312) 528-0540

TO: Fathers Joe Fitzharris and Donald Lund
FROM: Tom Ventura *TV*
RE: 6 month assignment at Good Shepherd Parish

This memo is to summarize our meeting today at which the following points were discussed:

1. Fr. Fitzharris will have a 6 month assignment at Good Shepherd Parish from June 15, to December 15, 1987.
2. At the end of that period there will be an evaluation of his progress personally, ministerially [REDACTED] and, if all has gone well, he can negotiate a permanent assignment through the Personnel Board.
3. His salary will be paid by the Archdiocese during the June 15 - December 15, 1987 period. 50% of his annual allocation for continuing education will be paid by the Archdiocese. Mass stipends will come from the parish.
4. Supervision: Fr. Don Lund will be his on-site supervisor and will send a monthly written report to the Vicar for Priests. In addition Fr. Fitzharris will have a monthly supervisory meeting with Fr. Ray Goedert, Vicar for Priests.
5. Schedule: Fr. Fitzharris' usual weekly schedule will be:
 - Sunday: Parish work
 - Monday: [REDACTED]
 - Tuesday: [REDACTED]
 - Wednesday: Parish work (Note: Tuesday and Wednesday schedules can be interchanged if necessary)
 - Thursday: Free day
 - Friday: Parish Work
 - Saturday: Parish Work
6. Parish Work: Fr. Lund mentioned three areas which could be helpful and yet would not create a vacuum if Fr. Fitzharris left the parish in December: a) hospital visiting b) assisting undocumented immigrants to become legalized c) home visiting.
7. Limitation: Both men clearly understood that Fr. Fitzharris is to avoid all unsupervised activities with young people under age 17.

AOC 000811



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

June 6, 1987

Vicar for Priests
800 North Clark Street, Suite 311
Chicago, Illinois 60611
Off: (312) 642-1837
Res: (312) 528-0540

TO: Mary Ann Penczak
FROM: Fr. Tom Ventura TV
RE: Fr. Joseph Fitzharris

1. Fr. Joseph Fitzharris ('62) will have a 6 month temporary assignment from June 15 to December 15, 1987 at Good Shepherd Parish, Chicago. At the end of that period we hope that he will be able to accept a permanent assignment through the Personnel Board.
2. During that period please continue to pay him a regular salary and maintain him on health and automobile insurance coverage. Also, he is eligible to draw on 50% of his annual allocation for continuing education.
3. His new address: Good Shepherd Parish
2719 S. Kolin
Chgo., IL 60623
phone: 762-2322

copy: Ray Ranas, Payroll Dept.
Fr. Joseph Fitzharris
Fr. Raymond Goedert

AOC 000812

New claim

[Redacted]

[Redacted]

December 17, 2007

[Redacted]

RE: [Redacted] and Father Joseph Fitzharris

Dear [Redacted],

Please be advised that I have been retained by [Redacted] concerning a claim of sexual abuse involving Father Joseph Fitzharris. [Redacted] date of birth is [Redacted] Kindly furnish me with a Tolling Agreement at your first convenience. Should you have any questions, please do not hesitate to call.

Sincerely,

[Redacted]

[Faint, illegible text]

[Redacted]

ARCHDIOCESE OF CHICAGO


Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office




P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

MEMORANDUM

To: File – PFR- 12

From: Leah McCluskey, Office for Child Abuse Investigations and Review 

Re: **RESPONSE OF REV. JOSEPH FITZHARRIS [RESIGNED] TO THE ALLEGATION OF SEXUAL MISCONDUCT MADE BY** 

Date: October 15, 2007

Date of Conference Call: October 8, 2007



Time of Conference Call: 11:00 am

Participants in Conference Call

Mr. Joseph Fitzharris
Rev. Edward Grace, Vicar for Priests
Ms. Leah McCluskey, Office for Child Abuse Investigations and Review

Conference Call

Upon my arrival to the Vicar for Priests Office for the 11:00 am scheduled meeting, Rev. Edward Grace initiated the conference call with the former Rev. Joseph Fitzharris.

Fr. Grace and I began by thanking Mr. Fitzharris for his time and asking if he had any questions or concerns prior to continuing the phone call. When asked by Mr. Fitzharris, I informed him that  had made the allegation against him that I was prepared to read. Mr. Fitzharris stated that he does not know who  is.

Mr. Fitzharris then asked if [civil attorney] Pat Reardon still works for the Archdiocese of Chicago [AOC]. Fr. Grace responded by providing Mr. Fitzharris with the clarification that Mr. Reardon does not work for the AOC, but that he is a civil attorney who does represent priests and former priests who have been accused of sexual misconduct with minors. Fr. Grace added that if Mr. Fitzharris chose to call Mr. Reardon in regards to this matter, that the attorney would work for him [Mr. Fitzharris] and not the AOC.

I proceeded by beginning to read [REDACTED] allegation against Mr. Fitzharris. I invited Mr. Fitzharris to stop me at any point in time while I was reading the allegation to ask questions if he wished.

As I began to read, Mr. Fitzharris stated that "...this is all nonsense...this never happened..." Mr. Fitzharris reiterated that he does not know [REDACTED] name and that "...this is all fantasy...[the allegation is] make believe..."

As I continued to read and reached the section of the report on page three where [REDACTED] estimated that he stayed overnight at the rectory at least 12 times, Mr. Fitzharris interjected, "...that's nonsense...this is all crazy...[it's] not true..."

As I was reading from page four of the allegation where [REDACTED] stated that Fr. Fitzharris gave him and other boys wine to drink, Mr. Fitzharris remarked, "...that never happened... [REDACTED] totally delusional..."

While reading page five of [REDACTED] allegation, Mr. Fitzharris interjected, "...if I was abusing them, why would they stay overnight?" Mr. Fitzharris added, "...this never happened..." when I read that [REDACTED] alleged that the cleric [REDACTED]

While reading from the top of page six of [REDACTED] allegation, Mr. Fitzharris stated that the Jacuzzi at Midtown Tennis Club was co-ed and that the rule at the club was that all who used the Jacuzzi needed to wear [swimming] shorts.

I continued to read [REDACTED] allegation through the end.

I informed Mr. Fitzharris that I would send him a copy of [REDACTED] report as well as a copy of a draft report of the October 8th phone call with his responses.

Mr. Fitzharris stated again that he does not remember [REDACTED] and that "...the sexual abuse never happened...[the allegation] is just fantasy." He stated that he never molested this person, he never gave anyone [minors] any wine, and that "...this [the allegation] is delusional." Mr. Fitzharris also expressed more than once during the October 8th phone call that, "...the Review Board doesn't believe me anyway..."

Mr. Fitzharris then asked Fr. Grace who his advocate was. Fr. Grace responded by informing him that his advocate [civil attorney] would be whomever he [Mr. Fitzharris] chose. When asked by Mr. Fitzharris, Fr. Grace verbally provided him with some general information on the legal process involving allegations of the sexual abuse of minors against clerics and related monetary settlements.

I expressed my appreciation to Mr. Fitzharris for providing the responses that he already had. When asked, Mr. Fitzharris agreed to respond to additional clarification questions.

I asked Mr. Fitzharris if he could remember who the cook and/or housekeeper was at St. Francis Xavier rectory when he was there. Mr. Fitzharris stated that his first year at St. Francis Xavier, a

tall German lady with grey hair worked in the rectory. He added that the pastor at the time was Frank Frasier.

When asked, Mr. Fitzharris stated that he did have a membership to Midtown Tennis Club for ten years. Also when asked, Mr. Fitzharris identified his tennis partners as Jim Flynn and Tom Pelton. Mr. Fitzharris again stated that he does not remember [REDACTED]. I then asked if Mr. Fitzharris remembered either of the other boys mentioned by [REDACTED]. Mr. Fitzharris stated that he does remember [REDACTED] and added that the boy lived [REDACTED] with his family. As for [REDACTED] Mr. Fitzharris does not remember him. When asked about [REDACTED] [not sure of spelling], Mr. Fitzharris stated that the name sounded vaguely familiar to him, but was not sure.

Fr. Grace then asked Mr. Fitzharris if he ever had kids stay overnight at the rectory. Mr. Fitzharris stated that he did. I asked Mr. Fitzharris where the kids would have slept in the rectory. Mr. Fitzharris stated that the kids would have slept in the bedroom at the end of the hall [down the hall from his quarters]. When asked, Mr. Fitzharris stated that no other priests had quarters on the same floor of the rectory as him. I asked Mr. Fitzharris if there was a type of game room on the same floor of the rectory as his quarters. Mr. Fitzharris stated that there was such a room located on the third floor of the rectory [where his quarters were also located]. As per Mr. Fitzharris, this game room was commonly shared by all [other priests]. I asked Mr. Fitzharris if there was a "toy closet" anywhere on the third floor of the rectory. Mr. Fitzharris stated that he "...doesn't know what that's all about."

When asked, Mr. Fitzharris stated that he has no memory of having boys over to the rectory for dinner. Also when asked, Mr. Fitzharris stated that he did sometimes bring boys with him to Midtown Tennis Club. I asked Mr. Fitzharris if his mother's home had a pool. Mr. Fitzharris stated that she did not have a pool, but also responded to the question that he did bring boys to his mother's home.

When asked who played tennis with him at Midtown Tennis Club, Mr. Fitzharris stated that Charlie Tobin, John Lynch, and Tom Pelton all were tennis partners of his.

When asked, Mr. Fitzharris stated that he did have a number of station wagons. Mr. Fitzharris then remarked that, "...lots of his [REDACTED] details are correct...[but] a major one [detail] is incorrect." When asked for clarification, Mr. Fitzharris stated that [REDACTED] major detail that is incorrect "...is the [alleged] abuse part."


When asked again, Mr. Fitzharris stated that he did not wish to have copies of [REDACTED] allegation or his response [in report form] sent to him. As I verbally provided Mr. Fitzharris with general information of the Review Board process, he asked that copies of the letters noting Cardinal George's decisions on the matter be sent to his address. Fr. Grace and I asked Mr. Fitzharris to confirm the current address that we have for him. Mr. Fitzharris provided the following as his current address:

[REDACTED]

The October 8th phone call ended with Fr. Grace and I again thanking Mr. Fitzharris for his time.


Mr. Joseph Fitzharris

Date



Leah McCluskey, Director

Date 10/16/07



Rev. Edward Grace, Vicar for Priests

Date 10/16/07

[REDACTED]

[REDACTED]

[REDACTED]

August 16, 2007

Via Hand Delivery

[REDACTED]

Re: [REDACTED] Father Joseph Fitzharris

Dear [REDACTED]:

Enclosed is a copy of the fully executed settlement agreement in the above matter, along with a two checks, one for [REDACTED] made payable to [REDACTED] "Supplemental Needs Trust" and another for [REDACTED] made payable to "The Law Offices of Eugene K. Hollander." [REDACTED]



Please call if you have any questions.

Very truly yours,

[REDACTED]

[REDACTED]
Enclosure


[REDACTED]

August 16, 2007

Page 2

bcc: (w/enclosure)
Rev. Edward Grace
John O'Malley



08/13/2007 08:49 3128998003

LANE & LANE

PAGE 02/02

[Redacted]

[Redacted]

August 13, 2007

By facsimile transmission and regular mail

[Redacted]

RE: [Redacted] Father Joseph Fitzharris

Dear [Redacted],

As we discussed, please be advised that I will be representing [Redacted] with respect to both of the above referenced matters. [Redacted] date of birth is [Redacted] and [Redacted] date of birth is [Redacted]. I would request that you provide me with a Tolling Agreement at your earliest convenience.

I look forward to working with you on these matters.

Sincerely,

[Redacted Signature]

[Redacted]

[Redacted]

[Redacted]

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

MEMORANDUM

To: File – PFR-12

From: Review Board Meeting

Re: Fitzharris, Rev. Joseph (Resigned)/ [REDACTED]

Date: March 18, 2006

A summary of the discussion from the Review Board Meeting on March 18, 2006

The Review Board was presented additional information by PRA in the spirit of a Supplementary Review of the allegation made by [REDACTED]. The allegation is as follows: touching breasts and vaginal area - no penetration.

In light of the supplementary information provided to the Board, the Board received the information and chose against doing anything with it. Therefore, the Board did not alter its 8/20/05 Review for Cause recommendation of reasonable cause to suspect that the alleged misconduct occurred. The Cardinal accepted the Review for Cause recommendation on 8/25/05.

AOC 000739



ARCHDIOCESE OF CHICAGO

(Please type all information)

535

Name FITZHARRIS (last) JOSEPH (first) L. (middle)

Born [redacted] (date) CHICAGO (city) IL (state) ST. ANGELA (parish)

Baptized MAY 10 1936 (date) CHGO (city) IL (state) ST. ANGELA (parish)

Ordained APRIL 28 1962 (date) (city) (state) MUNDELEIN (location)

Ordaining Bishop MEYER (name) CHGO (diocese)

First Solemn Mass APRIL 29 1962 (date) (city) (state) ST. ANGELA (parish)

Name of Father [redacted] Living [] Deceased [x]

Name of Mother [redacted] Living [x] Deceased []

Nationality IRISH

Home Parish ST. ANGELA

Social Security Number

Present Residence GOCO SHEPHERD (city) (state) (parish) 762-2322 (telephone)

In case of emergency notify:

1. (name) (relationship) (address) (telephone) (city) (state) (zip code)

2. (name) (relationship) (address) (telephone) (city) (state) (zip code)

How is your health at the present time? [x] Good [] Fair [] Poor

Comment:

Schools Attended

Elementary ST. ANGELA 1941-1950
(name) (city) (state) (years)

Secondary QUIGLEY 1950-1955
(name) (city) (state) (years)

College ST MARY of the Lake
(name) (city) (state) (years)

Philosophy ''
(name) (city) (state) (years)

Theology _____
(name) (city) (state) (years)

Post Graduate _____
(name) (city) (state) (years)

_____ (name) (city) (state) (years)

_____ (name) (city) (state) (years)

Degrees Earned B.A.
(degree) (college or university) (year)

_____ (degree) (college or university) (year)

_____ (degree) (college or university) (year)

Degrees Honorary _____
(degree) (college or university) (year)

Works Published _____
(degree) (college or university) (year)

Works Published _____
(title) (date) (publisher)

_____ (title) (date) (publisher)

_____ (title) (date) (publisher)

Ecclesiastical Honors Received _____
(date)

_____ (date)

_____ (date)

I am familiar with the following modern languages. Please indicate degree of fluency.

Language	Reading Proficiency			Speaking Proficiency			Proficiency to Celebrate Sacraments		
	High	Moderate	Slight	High	Moderate	Slight	High	Moderate	Slight
<u>SPANISH</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Full Time Assignments (Chronological)

ST. LOUISE DE MARIAC	ASSOCIATE	1962	1967
(position)		(from)	(to)
ST. ALOYSIUS	"	1967	1973
(position)		(from)	(to)
ST FIDELIS	"	1973	1978
(position)		(from)	(to)
ST FRANCIS XAVIER (NELSON)		1978	1986
(position)		(from)	(to)
ST BARTHOLOMEW	WAKEGAN	1986	NOV 1986
(position)		(from)	(to)
ST JOSEPH	"		
(position)			
GOOD SHEPHERD	Resident	JUNE 1986	- 1/11/88
(position)		(from)	(to)
St. Genevieve		1/11/88	
(position)		(from)	(to)
Sabbatical			12/13/89
(position)			(to)
St. Pascal	Associate	12/13/89	
(position)		(from)	(to)
Left Active Ministry		1/3/95	
(position)		(from)	(to)

Administrative Assignments

National or U.S.C.C.	(position)	(from)	(to)
Diocesan	(position)	(from)	(to)
	(position)	(from)	(to)
	(position)	(from)	(to)
	(position)	(from)	(to)
	(position)	(from)	(to)

Other Assignments:

(position)	(from)	(to)
(position)	(from)	(to)
(position)	(from)	(to)
(position)	(from)	(to)
(position)	(from)	(to)

My present major, official assignment is Associate Assp
 at St. Genevieve since 1-11-88
(address) (month) (year)

Military Service _____
(name of service) (position) (rank) (dates)

(name of service) (position) (rank) (dates)

(name of service) (position) (rank) (dates)

Hospitalization Insurance BLUE CROSS BLUE SHIELD
(insuring company)

Automobile Liability Insurance AETNA
(insuring company)

Last Will and Testament _____
(date of most recent copy) (place)

Do you have a copy in a sealed envelope on file in the Chancery? yes

Funeral Arrangements
Preferred Place of Burial ALL SAINTS - GRAVE WAITING
CLEVELAND

(Filed at the Chancery Office, together with a recent copy of the Will, should be a letter of instructions to be opened at the time of death.)

Aug 1987
Date

[Signature]
Signature

Personal File of Joseph Fitzharris

ST. ALOYSIUS CHURCH
2300 West LeMoyne Street
Chicago, Illinois 60622
Phone: 312 278-4808

January 2, 1969

Most Rev. John L. May, D.D.,
Chairman of the Priests' Personnel Board,
Harrison and Hillside Avenue,
Hillside, Illinois 60162.

Dear Bishop:

For about a month, now, I had planned to consult you, or some other member of the Personnel Board, about the situation in our house here at St. Aloysius. I had decided to wait until after the holidays before bringing the matter to your attention.

Quite directly, the problem centers in Father Joseph Fitzharris, who is the first assistant, as you know. The other men in the house include Father Jose Acevedo, newly ordained, and Father John Vlazny, professor at Quigley North.

Father Fitzharris' difficulty is a serious personality problem which I am convinced calls for professional help. I am no diagnostician, nor am I attempting to play the part of one, but from my own observations I would say that unless Joe gets some professional help he is going to have serious problems wherever he is assigned. For my part, after allowing a reasonable period of time for observation and personal efforts to help, and after careful reflection, I can come to only one conclusion: For the good of the spirit in this house, and for Joe's own good, I am requesting a change from this Parish of Father Joseph Fitzharris.

I have reached this conclusion quite dispassionately, and, as I say, after careful reflection and discussion with others who know and have lived with Father Fitzharris. If ever he is to mature and "level off", this can only come about by way of some change (under direction) in Joe. Nothing will be achieved by his denying his problem, or by attempts at escaping from it into other areas of activity. I would suspect that this sort of attitude might well lead to much more serious difficulty in the future.

Rather than discussing this matter in detail here and now, I would prefer to speak with you in person, John, and look forward to doing so in the very near future.

Wishing you every blessing of God in the New Year, and with a promise of prayers for you, I remain,

Sincerely and Respectfully Yours,

Rev. George F. Aschenbrenner

Rev. George F. Aschenbrenner

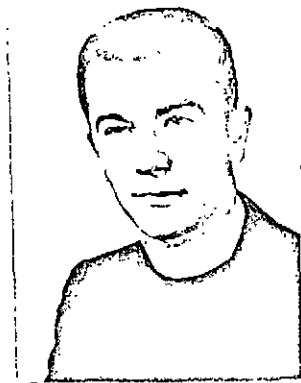
AOC 001536

FITZHARRIS, JOSEPH L.

Date of birth

Ordained

April 28, 1962



Nationality Irish

Date Appointed	Assignment	Charge	Date Left
7-7-62	St. Louise de Marillac (LaGrange Park)	Asst.	5/22/67
5/22/67	St. Aloysius	Asst.	6-15-73
6-15-73	St. Fidelis Parish	Assoc.	TCC:6-9-78
CC: 6-9-78 6/10/86	St. Francis Xavier (Nelson Street) S.H.A.P.E. (St. Joseph & St.	Associate	6/10/96
	Bartholomew, Waukegan with res. at St. Bartholomew)	Associate	
	Medical leave of absence 11/12/86		residence at St. Sebastian
7-1-87	Good Shepherd	Associate	01/08/88
1/8/88	St. Genevieve	Associate	01/15/90

Extraordinary Appointments

Ltr 1-14-74, Temp Adm.
St. Fidelis Church

8/1/88 to 8/1/89 Sabbatical

~~01/03/95~~
12/01/00
St. Pascal Parish

Associate 10/28/92

01/03/95

Left Active Ministry

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim AW's statement, given to Ms. McCluskey on August 13, 2007, formalizing his allegation of abuse against Rev. Joseph Fitzharris. Victim AW reported that he helped out at the parish and that he stayed overnight at the rectory at St. Francis Xavier parish with 2-3 dozen times. The alleged abuse consisted of several incidents of fondling when Victim AW was a minor. The alleged abuse occurred at St. Francis Xavier parish, an athletic club, and the home of a family member of Rev. Fitzharris. Victim AW also reported that Fitzharris would fondle his own genitals in front of Victim AW, and would fondle Victim AW while he was sleeping. Victim AW also recalls that Fitzharris had a pinball machine, bumper pool table, and toys in the rectory for kids to play with.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

MEMORANDUM

To: File – PFR - 12
From: Leah McCluskey, Office for Child Abuse Investigations and Review
Re: Fitzharris, Rev. Joseph [Resigned] [REDACTED]
Date: September 25, 2007



The following information has been gathered in relation to [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris:

- Fr. Fitzharris was assigned to St. Francis Xavier parish from June 7, 1978 through June 10, 1986; as per [REDACTED] allegation, he first met Fr. Fitzharris at St. Francis Xavier school where he was a student and altar boy; [REDACTED]
- The priests assigned to St. Francis Xavier parish from 1978 [the first year of Fr. Fitzharris' assignment to the parish] through 1983 [the [REDACTED] graduated from eighth grade at St. Viator] were: in 1978, Rev. Francis Fraser, Rev. Nicholas Norman [pastor emeritus], Rev. Gerald Fraser; in 1979, Rev. Joseph C. Taylor, Rev. Nicholas Norman, and Rev. Joseph Fitzharris; from 1980 through 1983, Rev. Joseph C. Taylor, Rev. Nicholas Norman, Rev. Joseph Fitzharris, and Rev. Charles L. Kyle
- According to the 2007 Archdiocesan Directory, Rev. Joseph C. Taylor was ordained in 1953, is retired, and resides at St. Edward parish, 5350 W. Sunnyside, Chicago, [REDACTED]; there is no Rev. Francis Fraser, Rev. Nicholas Norman or Rev. Charles L., Kyle listed in the current directory

[REDACTED]

RECEIVED

NOV 15 2007

ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW

COUNTY OF DUPAGE)
)
STATE OF ILLINOIS)

AFFIDAVIT OF [REDACTED]

The Affiant, [REDACTED] being duly sworn upon oath, deposes and states as follows:

1. I attended St. Francis Church, now known as Resurrection Catholic Academy, ("St. Francis").

2. When I was about eight or nine years old, I went to a retreat with Father Joseph Fitzharris. [REDACTED]

[REDACTED] Father Fitzharris took my clothes off, and put the swim trunks on me. During the process, Father Fitzharris touched my behind in an inappropriate manner.

3. [REDACTED]

4. I was also in the rectory at St. Francis. I distinctly remember that there was a bumper pool table there.

5. If called to testify, I could competently testify as to the foregoing facts.

FURTHER AFFIANT SAYETH NAUGHT.

[REDACTED]

SUBSCRIBED AND SWORN TO
before me this 21 day of

September, 2006.

Edward Sonne
Notary Public



SUMMARY TIME LINE OF ALLEGATION

	ACCUSED	ACCUSER
Name:	Rev. Joseph Fitzharris	[REDACTED]
Address:	Chicago, IL	[REDACTED]
Current age:	71	37
Date of Birth:	[REDACTED]	[REDACTED]
Name of civil attorney:	N/A	[REDACTED]

Date of Ordination [of accused]: 4/28/62

Location: Mundelein

Age at ordination: 26

Assignment location of accused: N/A

Status of accused: Resigned

Name of canonical advocate: N/A

Date allegation received: 8/6/07

Date allegation formalized: 8/13/07

Date of initial incident of alleged abuse: late 1970s

Date of last incident of alleged abuse: early 1980s

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: sleeping overnight in the rectory in the nude, fondling; fondling while nude in Jacuzzi at Midtown Tennis Club

Brief summary and date of response from accused: 10/8/07; Mr. Fitzharris denies the entire allegation

Stage of disposition by Review Board: Initial Review

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: N/A

Date allegation received: 2002

Date allegation formalized: 3/22/02

Date of initial incident of alleged abuse: 1975/1976

Date of last incident of alleged abuse: 1975/1976

Approximate number of incidents of alleged abuse: one

Brief summary of alleged abuse: [REDACTED] was sitting on Fr. Fitzharris' lap and the cleric fondled [REDACTED] under his clothing. [REDACTED] This was the only incident as per [REDACTED] Sexual touching under clothes of victim. Abuse allegedly took place during a social event at the parish. Cleric had already resigned from ministry at time allegation was formalized.

Brief summary of response:

Stage of disposition by Review Board: 5/03; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: [REDACTED]

Date allegation received: 10/5/95

Date allegation formalized: 11/26/03

Date of initial incident of alleged abuse: 1978

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: Touching and kissing. Victim and cleric disrobed. Sexual touching under clothes of victim. [REDACTED]
[REDACTED] Cleric resigned prior to formalized allegation.

Brief summary of response: 3/24/04; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 9/20/03; no reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: N/A

Date allegation received: 4/15/02

Date allegation formalized:

Date of initial incident of alleged abuse: 1972

Date of last incident of alleged abuse: 1975

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: [REDACTED]

[REDACTED] Her daughter was molested by Fitzharris. [REDACTED] wants apology from Joseph Fitzharris. Abuse occurred from the time victim was 3 1/2 or 4 to the age of 6 in [REDACTED].

Brief summary of response:

Stage of disposition by Review Board: N/A; this matter never before Review Board as alleged victim did not wish to formalize her allegation

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: [REDACTED]

Date allegation received: 6/10/02

Date allegation formalized: 12/12/02

Date of initial incident of alleged abuse: 1978

Date of last incident of alleged abuse: 1981

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Allegation initially made by victim's attorney. Fondling, masturbation, oral sex. Alleged abuse took place after mass.

Brief summary of response: 2/5/03; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 5/03; reasonable cause to suspect

Additional allegations made by accused: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address:

Date of Birth:

Age:

Name of civil attorney:

Date allegation received: 7/6/87

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: [REDACTED] was counseled by Fitzharris; later recanted his allegation

Brief summary of response:

Stage of disposition by Review Board:

Additional allegations made by accused: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 43

Name of civil attorney: Jeff Anderson

Date allegation received: 12/1/03

Date allegation formalized: 2/17/04

Date of initial incident of alleged abuse: 1969

Date of last incident of alleged abuse: 1971

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Fr. Fitzharris and [REDACTED] were naked in bed together. Fr. Fitzharris had [REDACTED] lay on top of him while in bed. Fr. Fitzharris then fondled [REDACTED] until both fell asleep. Same day, Fr. Fitzharris undressed [REDACTED] and had him [REDACTED] shower with him. During shower, Fr. Fitzharris washed [REDACTED] and vice versa.

Brief summary of response: 3/24/04; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 8/2/05; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth [REDACTED]

Age: 43

Name of civil attorney: Jeff Anderson

Date allegation received: 6/1/04

Date allegation formalized: 6/7/04

Date of initial incident of alleged abuse: 1972

Date of last incident of alleged abuse: 1974

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Touching breasts and vaginal area; no penetration.

Brief summary of response: 9/24/04; Mr. Fitzharris denied the allegation.

Stage of disposition by Review Board: 8/20/05; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 49

Name of civil attorney: Jeff Anderson

Date allegation received: 6/1/04

Date allegation formalized: 7/21/04

Date of initial incident of alleged abuse: 1973

Date of last incident of alleged abuse: 1977

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Fitzharris initiated hugs to his groin area and hugging where [REDACTED]s face and chest would be pressed to his groin; Fitzharris would fondle [REDACTED] vaginal area under her dress [REDACTED]; also, Fitzharris would take her hand and place it on his penis "a lot."

Brief summary of response: 9/24/04; Mr. Fitzharris denied the allegation.

Stage of disposition by Review Board: 8/20/05; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: Unidentified male

Address:

Date of Birth:

Age:

Name of civil attorney:

Date allegation received: 4/25/05

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: Allegation forwarded by Fr. Tom Tivy, former Vicar for Priest and now residing at Resurrection parish, formerly St. Francis Xavier parish

Brief summary of response: Matter was not presented to Mr. Fitzharris for a response, as it has not been formalized.

Stage of disposition by Review Board: No formal allegation, therefore not brought before the Board.

Additional allegations made by accuser:

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: [REDACTED]

Date allegation received: 9/21/05

Date allegation formalized: 10/19/05

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

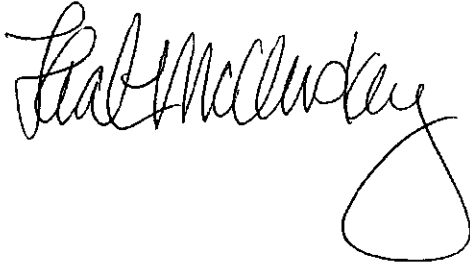
Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: alcohol, masturbation, anal penetration with finger, Fr. Fitzharris ejaculating on [REDACTED]

Brief summary of response: 11/21/05; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 5/06; reasonable cause to suspect

Additional allegations made by accuser: None

Signature of Director: 

Date: 10/9/07

ARCHDIOCESE OF CHICAGO



Office of Professional Responsibility

Leah R. McCluskey, MSW, LSW
Administrator
312-751-5205
lmccluskey@archchicago.org

Patricia J. Zacharias, LCPC, CADC, CEAP
Assistant Administrator
312-867-8793
pzacharias@archchicago.org

Post Office Box 1979
Chicago, Illinois 60690-1979
1-800-994-6200
312-751-5279 (fax)

MEMORANDUM

To: File – PFR-12

From: Leah McCluskey, Professional Responsibility Administrator

Re: Rev. Joseph Fitzharris (Resigned)

Date: May 13, 2006

The attached is a copy of Fr. Fitzharris' "Summary Time Line of Allegation" presented to all Review Board Members for the May 13, 2006 Board meeting.

AOC 002185

SUMMARY TIME LINE OF ALLEGATION

	ACCUSED	ACCUSER
Name:	Rev. Joseph Fitzharris	[REDACTED]
Address:	[REDACTED]	[REDACTED]
Current age:	[REDACTED]	37
Date of Birth:	[REDACTED]	[REDACTED]
Name of civil attorney:	Reardon	[REDACTED]

Date of Ordination [of accused]: 4/28/62

Location: Mundelein

Age at ordination: 26

Assignment location of accused: N/A

Status of accused: Resigned

Name of canonical advocate: N/A

Date allegation made to PRA: 9/21/05

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Alcohol, masturbation, anal penetration with finger, Fr. Fitzharris ejaculating on [REDACTED]

Brief summary and date of response from accused: 11/21/05 Response Date; Mr. Fitzharris denies the entire allegation.

Stage of disposition by Professional Responsibility Review Board: Initial Review

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: N/A

Date allegation made to PRA: 2002

Date of initial incident of alleged abuse: 1975/1976

Date of last incident of alleged abuse: 1975/1976

Approximate number of incidents of alleged abuse: one

Brief summary of alleged abuse: [REDACTED] was sitting on Fr. Fitzharris' lap and the cleric fondled [REDACTED] under his clothing. [REDACTED] brother [REDACTED] then grabbed his hand and the two minors ran from the bedroom. This was the only incident as per [REDACTED]. Sexual touching under clothes of victim. Abuse allegedly took place during a social event at the parish. Cleric had already resigned from ministry at time allegation was formalized.

Brief summary of response:

Stage of disposition by Professional Responsibility Review Board: reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: [REDACTED]

Date allegation made to PRA: 10/5/95

Date of initial incident of alleged abuse: 1978

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: Touching and kissing. Victim and cleric disrobed. Sexual touching under clothes of victim. [REDACTED]
[REDACTED] Cleric resigned prior to formalized allegation.

Brief summary of response: Mr. Fitzharris denied the allegation.

Stage of disposition by Professional Responsibility Review Board: no reasonable cause to suspect [9/20/03]

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 47

Name of civil attorney: Anderson/Pearlman

Date allegation made to PRA: 6/1/04

Date of initial incident of alleged abuse: 1973

Date of last incident of alleged abuse: 1977

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Fr. Fitzharris initiated hugs to his groin area and hugging where [REDACTED] face and chest would be pressed to his groin. He would fondle [REDACTED] vaginal area under her dress [REDACTED]

[REDACTED] Also, Fr. Fitzharris would take [REDACTED] hand and place it on his penis "a lot."

Brief summary of response: Mr. Fitzharris denied the allegation.

Stage of disposition by Professional Responsibility Review Board: reasonable cause to suspect [8/20/05]

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: N/A

Date allegation made to PRA: 4/15/02

Date of initial incident of alleged abuse: [approx.] 1972

Date of last incident of alleged abuse: [approx.] 1975

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: [REDACTED]

[REDACTED] Stated abuse took place from the time her daughter was 3-6 years old. Alleged victim chose not to formalize allegation and/or speak with PRA.

Brief summary of response: Allegation not presented to accused, as was not formalized by alleged victim.

Stage of disposition by Professional Responsibility Review Board: not brought before Review Board, as not a formal allegation

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: [REDACTED]

Date allegation made to PRA: 6/10/02

Date of initial incident of alleged abuse: 1978

Date of last incident of alleged abuse: 1981

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: Fondling, masturbation, oral sex. Alleged abuse took place after mass. Cleric had resigned previously.

Brief summary of response: Mr. Fitzharris denied the allegation.

Stage of disposition by Professional Responsibility Review Board: reasonable cause to suspect [5/17/03]

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address:

Date of Birth:

Age:

Name of civil attorney:

Date allegation made to PRA: 7/6/87

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse:

Brief summary of response:

Stage of disposition by Professional Responsibility Review Board [REDACTED]
recanted his allegation against Mr. Fitzharris.

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 43

Name of civil attorney: Anderson

Date allegation made to PRA: 12/1/03

Date of initial incident of alleged abuse: 1969

Date of last incident of alleged abuse: 1971

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Fr. Fitzharris and [REDACTED] were naked in bed together. Fr. Fitzharris had [REDACTED] lay on top of him while in bed. Fr. Fitzharris then fondled [REDACTED] until both fell asleep. Same day, Fr. Fitzharris undressed [REDACTED] and had him [REDACTED] shower with him. During shower, Fr. Fitzharris washed [REDACTED] and vice versa.

Brief summary of response: Mr. Fitzharris denied the allegation.

Stage of disposition by Professional Responsibility Review Board: reasonable cause to suspect [8/20/05]

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: [REDACTED]

Name of civil attorney: Anderson

Date allegation made to PRA: 6/1/04

Date of initial incident of alleged abuse: 1972

Date of last incident of alleged abuse: 1974

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Touching breasts and vaginal area; no penetration.

Brief summary of response: Mr. Fitzharris denied the allegation.

Stage of disposition by Professional Responsibility Review Board: reasonable cause to suspect [8/20/05]

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: Unidentified male

Address:

Date of Birth:

Age:

Name of civil attorney:

Date allegation made to PRA: 4/25/05

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: Allegation forwarded to PRA by Fr. Tom Tivy, former Vicar for Priest and now residing at Resurrection parish, formerly St. Francis Xavier parish

Brief summary of response: Matter was not presented to Mr. Fitzharris for a response, as it has not been formalized.

Stage of disposition by Professional Responsibility Review Board: No formal allegation, therefore not brought before the Board.

Additional allegations made by accuser:

Signature of PRA:



Date:

5/3/06

ARCHDIOCESE OF CHICAGO


Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office




P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax





MEMORANDUM





To: File – PFR – 012






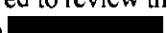
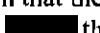
From: Leah McCluskey, Office for Child Abuse Investigations and Review 


Re: Fitzharris, Joseph (Laicized) 

Date: October 14, 2011

On September 15, 2011, I received a voice mail message from attorney  with regard to his client  and his allegation of the sexual abuse of a minor against Joseph Fitzharris. Mr.  noted that he was calling in light of media reports that recent settlements had been reached with victims of Mr. Fitzharris and the Archdiocese of Chicago. He stated that as a result, he wished to “revisit”  allegation against Mr. Fitzharris.

I returned Mr. ’s on September 16th and explained the possibility of a Supplementary Review as per the Review Board process. Mr.  had additional questions that were legally based, which is when I suggested that I would contact John O’Malley, Director of Legal Services. It was agreed that either I or Mr. O’Malley would call Mr.  back about this matter. I then spoke with Mr. O’Malley and 

Today, I received a phone call from Mr. . He stated that he spoke with Mr. O’Malley, but had been directed back to me. I again explained to Mr.  that if  had additional information he wished to share with the Review Board, there could possibly be a Supplementary Review of this matter. Mr.  said that it is difficult for him to provide “additional information,” as he does not know the reason why the Review Board did not believe his client. I told Mr.  that the discussions between the Review Board and Cardinal George are confidential and that I would not be able to provide him with information as to the Review Board’s reasoning for its recommendation to the Cardinal about this case. I offered to review the file and determine if there was additional information that the Board had asked for from  in 2002/2003 that it had not been provided. I told Mr.  that I would call him within the next two weeks upon having the opportunity to review the file.

According to records in this office, I met with  on November 23, 2003 so that he could formalize his allegation against Mr. Fitzharris. The Review Board process of this matter was concluded in 2003 with an outcome of “not reasonable cause to suspect” that the alleged abuse occurred.

Cc Rev. John Collins, Vicar for Priests
John O’Malley, Legal Services
Tom Tharayil, Office of Assistance Ministry

AOC 002197

RECEIVED

FEB 17 2011

ARCHDIOCESE OF CHICAGO
OFFICE FOR CHILD ABUSE
INVESTIGATIONS AND REVIEW



February 14, 2011

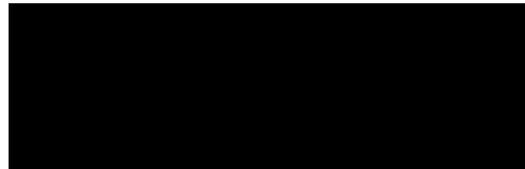
Ms. Leah McCluskey
The Archdiocese of Chicago
P.O. Box 1979
Chicago, IL 60690-1979

RE:  and Father Joseph Fitzharris and the Archdiocese of Chicago

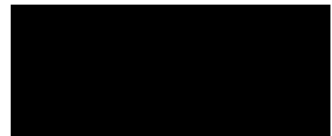
Dear Ms. McCluskey, .

Please find enclosed the sexual abuse report signed by my client. If you have any questions, please do not hesitate to call.

Sincerely,



Enclosure



AOC 002198

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim DS's statement, given to Ms. McCluskey on January 26, 2011, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse consisted of one incident in which Fr. Fitzharris watched Victim DS undress and take a shower when Victim DS was between 5th and 7th grade during a sleepover with other boys. On another occasion when Victim DS was 18 years old Fr. Fitzharris touched Victim DS's genital area while at an athletic club in Chicago. According to Victim DS the incidents of abuse occurred in the early 1980's when he was an altar boy at St. Francis Xavier parish and a student at St. Francis Xavier Elementary School.

ARCHDIOCESE OF CHICAGO

**FILE
COPY**


Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-534 5254, general
312-751-8307, fax

MEMORANDUM

To: File – PFR - 12

From: Leah McCluskey, Office for Child Abuse Investigations and Review 

Re: Fitzharris, Joseph (Laicized priest) [REDACTED]

Date: January 18, 2011

Today, Ms. Ruth Robinson from the Office of Assistance Ministry and I met with attorney [REDACTED] and his client [REDACTED] so that [REDACTED] could formalize his allegation of the sexual abuse of a minor against Joseph Fitzharris. Prior to beginning the meeting, Mr. [REDACTED] informed Ms. Robinson and me that [REDACTED] had come to the meeting to support [REDACTED]. As per Mr. [REDACTED] disclosed to him that he was also sexually abused by Joseph Fitzharris. Mr. [REDACTED] will be representing [REDACTED] in this matter.

[REDACTED] remained in the meeting while [REDACTED] formalized his allegation against Joseph Fitzharris. Ms. Robinson and I scheduled with [REDACTED] and Mr. [REDACTED] to meet on Wednesday, January 26, 2011 at 10:30 am so that [REDACTED] may formalize his allegation against Joseph Fitzharris.

ARCHDIOCESE OF CHICAGO

FILE
COPY

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

MEMORANDUM

To: Rev. Kenneth Budzikowski, Vicar for Priests
Very Rev. John Canary, Vicar General
Rev. John Collins, Vicar for Priests
Colleen Dolan, Communications and Public Relations
Carol Fowler, Personnel Services
Rev. Jeffrey Grob, Archbishop's Delegate to the Review Board
Jimmy Lago, Chancellor
Ruth Robinson, Assistance Ministry
Very Rev. Daniel Smilanic, Canonical Services

From: Santa Garcia, Secretary *S.G.*
Office for Child Abuse Investigations and Review

Re: [PFR - 12] FITZHARRIS, JOSEPH (LAICIZED PRIEST)
[REDACTED]

Date: January 19, 2011

A copy of a new allegation was received by this office on January 18, 2011.

Please advise this office of any information you may have in your files regarding [PFR-12]FITZHARRIS, JOSEPH (LAICIZED PRIEST) [REDACTED]

It is extremely important that you forward copies of any and all documentation pertinent to this case, to this office, within 5 business days of receipt of this memo to ensure that the investigation of this matter be properly handled.

Please contact Leah McCluskey with any questions you may have at (312) 534-5205 or lmcccluskey@archchicago.org regarding this matter. Thank you.

Cc: John O'Malley, Office of Legal Services

Attachment

AOC 002201

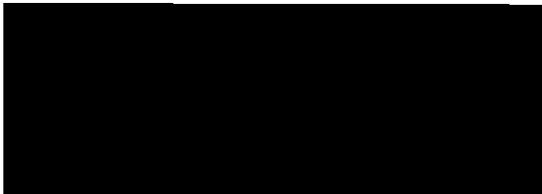
ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

January 24, 2011



Dear [Redacted]

I hope that this letter finds you and your family doing well.

I want to thank you again for allowing Mrs. Ruth Robinson and me to meet with you and Mr. [Redacted] on January 18, 2011. Enclosed with this letter you will find a typed report of the audio recording of our January 18th meeting where you formalized your allegation of sexual abuse against Joseph Fitzharris, a laicized priest of the Archdiocese of Chicago.

I ask that you please review the report and return to me in the envelope provided any additions and/or clarifications that you would like to make to the information that you shared with Mrs. Robinson and me. Any additional information you provide will be included with the enclosed document as a final report of your allegation against Joseph Fitzharris.

[Redacted] in the interest of expediting this process, I ask that you please return any additions or clarifications to me by February 8, 2011. Please know that you may also respond by February 8th with a written request for a two-week extension to review the enclosed report, which I would then ask that you return it to me by February 22, 2011.

If you have any questions, please feel free to contact me at (312) 534-5205 or lmcccluskey@archchicago.org.

Sincerely,

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

Enclosure

Via Diamond
Messenger
Del. 1/25/11
940 a.m.
Sign. - N. Seymore

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim DT's statement, given to Ms. McCluskey on January 18, 2011, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse consisted of fondling Victim DT's penis on one occasion when he was 15, and fondling Victim DT's buttocks on 5-6 occasions. Fr. Fitzharris also watched Victim DT undress and then also himself undressed in front of Victim DT when he was between 3rd and 4th grade prior to going swimming. Fr. Fitzharris also massaged Victim DT at the St. Francis Xavier parish rectory when Victim DT was between 3rd and 4th grades at St. Francis Xavier Elementary School, and again when he was approximately 15 years old in approximately 1985. Fr. Fitzharris also took Victim DT and other boys, and on one occasion with another priest, to an athletic club in Chicago. On another occasion while at an athletic club in Chicago Fr. Fitzharris instructed Victim DT to shower and watched Victim DT disrobe.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

MEMORANDUM



To: Rev. Kenneth Budzikowski, Vicar for Priests
Very Rev. John Canary, Vicar General
Rev. John Collins, Vicar for Priests
Colleen Dolan, Communications and Public Relations
Carol Fowler, Personnel Services
Rev. Jeffrey Grob, Archbishop's Delegate to the Review Board
Jimmy Lago, Chancellor
Ruth Robinson, Assistance Ministry
Very Rev. Daniel Smilanic, Canonical Services

From: Santa Garcia, Secretary *S.G.*
Office for Child Abuse Investigations and Review

Re: [PFR - 12] FITZHARRIS, JOSEPH (Laicized priest)/
[REDACTED]

Date: January 6, 2011

A copy of a new allegation was received by this office on January 5, 2011

Please advise this office of any information you may have in your files regarding
[PFR - 12] FITZHARRIS, JOSEPH (Laicized priest) [REDACTED]

It is extremely important that you forward copies of any and all documentation
pertinent to this case, to this office, within 5 business days of receipt of this
memo to ensure that the investigation of this matter be properly handled.

Please contact Leah McCluskey with any questions you may have at
(312) 534-5205 or lmcccluskey@archchicago.org regarding this matter. Thank you.

Cc: John O'Malley, Office of Legal Services

Attachment

AOC 002204

SUMMARY TIME LINE OF ALLEGATION

	ACCUSED	ACCUSER
Name:	Rev. Joseph Fitzharris	██████████
Address:	Chicago, IL	██████████
Current age:	74	41
Date of Birth:	██████████	██████████
Name of civil attorney:	N/A	██████████

Date of Ordination [of accused]: 4/28/62

Location: Mundelein

Age at ordination: 26

Assignment location of accused: N/A

Status of accused: Laicized

Name of canonical advocate: N/A

Date allegation received: 1/5/11

Date allegation formalized: 1/19/11

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse: 1985

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: massaging neck, back, buttocks over clothes in the rectory as well as at Twin Lakes in home of Fitzharris ██████; one incident of massaging included Fitzharris touching ██████ penis over clothing; Fitzharris disrobing in

front of [REDACTED] and another minor boy while changing at Twin Lakes and
Midtown Tennis Club

Brief summary and date of response from accused: scheduled for 3/11/11

Stage of disposition by Review Board: N/A – this matter is for discussion purposes
only

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 44

Name of civil attorney: [REDACTED]

Date allegation received: 1/18/11

Date allegation formalized: 1/26/11

Date of initial incident of alleged abuse: 1977/1978

Date of last incident of alleged abuse: 1985

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: massaging over clothing as well as one incident of Fitzharris having [REDACTED] take off his shirt so that Fitzharris could massage his neck, shoulders, and chest; one incident of Fitzharris taking [REDACTED] and others on an overnight to a woman's home, Fitzharris had [REDACTED] and other boys change (completely naked) to get into the shower while Fitzharris watched; also while at woman's home, Fitzharris helped [REDACTED] tuck in his shirt and Fitzharris grabbed [REDACTED] genitals over his underwear; one incident in Midtown Tennis Club where Fitzharris touched [REDACTED] genitals over his swimsuit [REDACTED]

Brief summary of response: scheduled for 3/11/11

Stage of disposition by Review Board: N/A – this matter is for discussion purposes only

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 46

Name of civil attorney: N/A

Date allegation received: 2002

Date allegation formalized: 3/22/02

Date of initial incident of alleged abuse: 1975/1976

Date of last incident of alleged abuse: 1975/1976

Approximate number of incidents of alleged abuse: one

Brief summary of alleged abuse: [REDACTED] was sitting on Fr. Fitzharris' lap and the cleric fondled [REDACTED] under his clothing; [REDACTED] then grabbed his hand and the two minors ran from the bedroom; this was the only incident as per [REDACTED] sexual touching under clothes of victim; abuse allegedly took place during a social event at the parish; Fr. Fitzharris had already resigned from ministry at time allegation was formalized

Brief summary of response:

Stage of disposition by Review Board: 5/03; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 46

Name of civil attorney: [REDACTED]

Date allegation received: 10/5/95

Date allegation formalized: 11/26/03

Date of initial incident of alleged abuse: 1978

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: several

Brief summary of alleged abuse: Touching and kissing; Fr. Fitzharris and [REDACTED] [REDACTED] disrobed; sexual touching under clothes of victim; abuse allegedly occurred [REDACTED] in rectory with Fr. Fitzharris; Fr. Fitzharris resigned prior to formalized allegation.

Brief summary of response: 3/24/04; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 9/20/03; no reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 41

Name of civil attorney: N/A

Date allegation received: 4/15/02

Date allegation formalized:

Date of initial incident of alleged abuse: 1972

Date of last incident of alleged abuse: 1975

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: [REDACTED] of Joseph Fitzharris called on behalf of [REDACTED] Fr. Fitzharris molested [REDACTED] [REDACTED] wants apology from Mr. Fitzharris; abuse occurred from the time victim was three and a half or four to the age of six in [REDACTED]

Brief summary of response:

Stage of disposition by Review Board: N/A; this matter never before Review Board as alleged victim did not wish to formalize her allegation

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 42

Name of civil attorney: [REDACTED]

Date allegation received: 6/10/02

Date allegation formalized: 12/12/02

Date of initial incident of alleged abuse: 1978

Date of last incident of alleged abuse: 1981

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Allegation initially made by [REDACTED];
fondling, masturbation, oral sex; alleged abuse took place after mass

Brief summary of response: 2/5/03; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 5/03; reasonable cause to suspect

Additional allegations made by accused: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address:

Date of Birth:

Age:

Name of civil attorney:

Date allegation received: 7/6/87

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: [REDACTED] was counseled by Fr. Fitzharris;
later recanted his allegation

Brief summary of response:

Stage of disposition by Review Board:

Additional allegations made by accused: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 46

Name of civil attorney: Jeff Anderson

Date allegation received: 12/1/03

Date allegation formalized: 2/17/04

Date of initial incident of alleged abuse: 1969

Date of last incident of alleged abuse: 1971

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Fr. Fitzharris and [REDACTED] were naked in bed together; Fr. Fitzharris had [REDACTED] lay on top of him while in bed; Fr. Fitzharris then fondled [REDACTED] until both fell asleep; same day, Fr. Fitzharris undressed [REDACTED] and had him [REDACTED] shower with him; during shower, Fr. Fitzharris washed [REDACTED] and vice versa

Brief summary of response: 3/24/04; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 8/2/05; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 46

Name of civil attorney: Jeff Anderson

Date allegation received: 6/1/04

Date allegation formalized: 6/7/04

Date of initial incident of alleged abuse: 1972

Date of last incident of alleged abuse: 1974

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: touching breasts and vaginal area; no penetration

Brief summary of response: 9/24/04; Mr. Fitzharris denied the allegation.

Stage of disposition by Review Board: 8/20/05; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 52

Name of civil attorney: Jeff Anderson

Date allegation received: 6/1/04

Date allegation formalized: 7/21/04

Date of initial incident of alleged abuse: 1973

Date of last incident of alleged abuse: 1977

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: Fr. Fitzharris initiated hugs to his groin area and hugging where [REDACTED] face and chest would be pressed to his groin; Fr. Fitzharris would fondle [REDACTED] vaginal area under her dress while talking to her siblings and at times would pull on her breasts and remark "how cute they are"; also, Fr. Fitzharris would take her hand and place it on his penis "a lot."

Brief summary of response: 9/24/04; Mr. Fitzharris denied the allegation.

Stage of disposition by Review Board: 8/20/05; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: Unidentified male

Address:

Date of Birth:

Age:

Name of civil attorney:

Date allegation received: 4/25/05

Date allegation formalized:

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: Allegation forwarded by Fr. Tom Tivy, former Vicar for Priest and now residing at Resurrection parish, formerly St. Francis Xavier parish

Brief summary of response: Matter was not presented to Mr. Fitzharris for a response, as it has not been formalized.

Stage of disposition by Review Board: No formal allegation, therefore not brought before the Board.

Additional allegations made by accuser:

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 42

Name of civil attorney: [REDACTED]

Date allegation received: 9/21/05

Date allegation formalized: 10/19/05

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse:

Brief summary of alleged abuse: alcohol, masturbation, anal penetration with finger, Fr. Fitzharris ejaculating on [REDACTED]

Brief summary of response: 11/21/05; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 5/06; reasonable cause to suspect

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 41

Name of civil attorney: [REDACTED]

Date allegation received: 8/6/07

Date allegation formalized: 8/13/07

Date of initial incident of alleged abuse: late 1970s/early 1980s

Date of last incident of alleged abuse: late 1970s/early 1980s

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: sleeping overnight in the rectory in the nude, fondling; fondling while nude in Jacuzzi at Midtown Tennis Club

Brief summary of response: 10/8/07; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 1/08; reasonable cause to suspect

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 52

Name of civil attorney: [REDACTED]

Date allegation received: 12/17/07

Date allegation formalized: 1/8/08

Date of initial incident of alleged abuse: 1968

Date of last incident of alleged abuse: 1970

Approximate number of incidents of alleged abuse: approximately seven

Brief summary of alleged abuse: both Fr. Fitzharris and [REDACTED] disrobed, fondling by the cleric; in car, Fr. Fitzharris touching over clothing, kissing; massaging, masturbating by Fr. Fitzharris; Fr. Fitzharris had [REDACTED] fondle his [cleric's] genital area

Brief summary of response: 3/3/08; Mr. Fitzharris admitted to sexually abusing [REDACTED] on one occasion not identified by the alleged victim; Mr. Fitzharris denies all other allegations made by [REDACTED]

Stage of disposition by Review Board: 6/08; reasonable cause to suspect

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 44

Name of civil attorney: Jeff Anderson

Date allegation received: 3/24/08

Date allegation formalized: 4/18/08

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: incidents occurred over one weekend

Brief summary of alleged abuse: Fr. Fitzharris told [REDACTED] to shower before they went to bed at the rectory; while [REDACTED] was in the shower with a glass door, Fr. Fitzharris walked into the bathroom naked to brush his teeth; slept in Fr. Fitzharris' bed together; mutual masturbation orchestrated by Fr. Fitzharris while [REDACTED] was "asleep"; while at a farm for the weekend, Fr. Fitzharris had [REDACTED] sleep with him; both only sleeping in underwear; Fr. Fitzharris orchestrated mutual masturbation

Brief summary of response: 6/3/08; Mr. Fitzharris denied the allegation

Stage of disposition by Review Board: 10/08; reasonable cause to suspect

Additional allegations made by accuser: None

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 38

Name of civil attorney: Jeff Anderson

Date allegation received: 10/23/08

Date allegation formalized: 2/6/09

Date of initial incident of alleged abuse: 1981

Date of last incident of alleged abuse: 1986

Approximate number of incidents of alleged abuse: countless (weekly) over the course of the five years identified

Brief summary of alleged abuse: fondling genitals and chest over and under clothing while Fr. Fitzharris had [REDACTED] sit on his lap; stated that her brother [REDACTED] has disclosed to her that he was also sexually abused by Fr. Fitzharris

Brief summary of response: 4/21/09; Mr. Fitzharris denied touching [REDACTED] or her brother [REDACTED] inappropriately in any way

Stage of disposition by Review Board: 7/09; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 35

Name of civil attorney: Jeff Anderson

Date allegation received: 1/20/09

Date allegation formalized: 10/1/09

Date of initial incident of alleged abuse: early 1980s

Date of last incident of alleged abuse: late 1980s

Approximate number of incidents of alleged abuse: between 50 and 100

Brief summary of alleged abuse: [REDACTED] stated that Fr. Fitzharris fondled his genital area over and under his clothing while [REDACTED] was on Fr. Fitzharris' lap and when Fr. Fitzharris would have the two sleep together in the same bed. [REDACTED] spoke of Fr. Fitzharris "cuddling" with him while sleeping in the same bed and "camping out" on the floor. [REDACTED] estimated that there were between 50 and 100 incidents of alleged sexual abuse by Fr. Fitzharris.

Brief summary of response: 1/21/10; Mr. Fitzharris adamantly denied touching [REDACTED] or his sister [REDACTED] inappropriately in any way

Stage of disposition by Review Board: 5/10; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 39

Name of civil attorney: [REDACTED]

Date allegation received: 1/28/09

Date allegation formalized: 2/11/09

Date of initial incident of alleged abuse:

Date of last incident of alleged abuse:

Approximate number of incidents of alleged abuse: more than one

Brief summary of alleged abuse: [REDACTED] stated that Fr. Fitzharris was touching him and his friends "all the time"; one incident where [REDACTED] and [REDACTED] stayed overnight at the rectory and Fr. Fitzharris had [REDACTED] take a shower in his quarters and afterwards, had [REDACTED] lay on his bed naked to apply [REDACTED] to his genitals; Fr. Fitzharris had [REDACTED] and [REDACTED] walk around the locker room at Midtown Tennis Club naked and get into hot tub there naked as well; one occasion Fr. Fitzharris had [REDACTED] on his lap in hot tub and anal penetration with finger; one incident of Fr. Fitzharris kissing [REDACTED] leg while [REDACTED] was wearing shorts; Fr. Fitzharris used to slide his hand up [REDACTED] shorts; 15-20 incidents of Fr. Fitzharris fondling his inner thigh and genitals; after swimming in a pool at the home of a friend of Fr. Fitzharris, [REDACTED] took a shower and Fr. Fitzharris pulled the shower curtain back to watch and then helped him towel off

Brief summary of response: 4/3/09; Mr. Fitzharris stated that he does remember [REDACTED] but denies the entire allegation

Stage of disposition by Review Board: 8/09; reasonable cause to suspect

Additional allegations made by accuser: none

ADDITIONAL ALLEGATIONS AGAINST ACCUSED

Name of accuser: [REDACTED]

Address: [REDACTED]

Date of Birth: [REDACTED]

Age: 41

Name of civil attorney: [REDACTED]

Date allegation received: 4/16/10

Date allegation formalized: 4/27/10

Date of initial incident of alleged abuse: 1981

Date of last incident of alleged abuse: 1983

Approximate number of incidents of alleged abuse: one time per week during the school year for two years

Brief summary of alleged abuse: Fitzharris put his hand down [REDACTED] pants while [REDACTED] was playing pinball; Fitzharris had [REDACTED] take off his clothes and get into Fitzharris' bed; Fitzharris took his clothes off as well and fondled [REDACTED] in the bed; Fitzharris had [REDACTED] perform oral sex on him; [REDACTED] alleged that incidents of abuse took place at least one time per week for two years; [REDACTED] stated that on one occasion Fitzharris penetrated him anally; [REDACTED] added that Fitzharris [REDACTED] kissed him before each incident of abuse

Brief summary of response: 5/25/10; Fitzharris admitted to sexually abusing [REDACTED] Fitzharris admitted to assisting [REDACTED] in taking off his clothes, then taking off his own clothes, and performing oral sex on [REDACTED]; Fitzharris estimated that he abused [REDACTED] on a monthly basis, as opposed to [REDACTED] claim that the abuse took place on a weekly basis; Fitzharris stated that he does not remember [REDACTED] kissing [REDACTED] Fitzharris denies that he had [REDACTED] perform oral sex on him; Fitzharris asked that Ms. McCluskey communicate to [REDACTED] that he is sorry

Stage of disposition by Review Board: 7/10; reasonable cause to suspect

Additional allegations made by accuser: none

Paul McCluskey 3/3/11

PFR - 12
Fitzharris Time Line
March 3, 2011
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SUMMARY OF ALLEGATION/RESPONSE/INVESTIGATION

Name of Alleged Victim

Name of Accused

Rev. Joseph Fitzharris (Laicized)

Summary of Allegation

The Office for Child Abuse Investigations and Review (CAIR) was first made known of [redacted] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris on April 16, 2010 through [redacted] attorney [redacted]

[redacted] is 40 years old, resides in [redacted] and is the [redacted]. His family belonged to St. Francis Xavier parish when he was a youth. [redacted] attended St. Francis Xavier School from kindergarten through eighth grade and graduated in 1983. [redacted] met Fr. Fitzharris through St. Francis Xavier.

[redacted] alleges that Fr. Fitzharris sexually abused him approximately one time per week for two years. [redacted] stated that the abuse took place in Fr. Fitzharris' room in the rectory and that Fr. Fitzharris fondled him under his clothing and performed oral sex on him while both were naked. [redacted] also stated that Fr. Fitzharris forced him to perform oral sex on him and attempted to penetrate him anally. After the April 27, 2010 meeting where [redacted] formalized his allegation against Fr. Fitzharris, he stated that Fr. Fitzharris [redacted] kissed him before each incident of sexual abuse.

Summary of Response

When presented with a verbal summary of [redacted] allegations against him, Mr. Fitzharris admitted to sexually abusing [redacted]. Specifically, Mr. Fitzharris admitted to he and [redacted] being naked and performing oral sex on [redacted]

Mr. Fitzharris stated that he never penetrated [redacted] anally. He added that he does not agree with [redacted] statement that the abuse took place on a weekly basis for two years. Mr. Fitzharris stated that he abused [redacted] on a monthly basis. He also stated that he does not think that [redacted] performed oral sex on him. As for [redacted] statement about Fr. Fitzharris [redacted] kissing him, Mr. Fitzharris stated, "I don't remember that."

Mr. Fitzharris asked that I tell [redacted] "Tell him I'm very sorry...I have a sickness." He then remarked that after he left the priesthood, [redacted]

Summary of Investigation

Hillard Heintze was asked to complete a background check on Mr. [redacted] BA

Signature: 

Date: 6/3/10

PFR - 12

[redacted] Fitzharris Summary

June 3, 2010

Page 1 of 1

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim DU's statement, given to Ms. McCluskey on February 10, 2009, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse consisted of Fr. Fitzharris watching Victim DU undress, kissing Victim DU, and fondling Victim DU on more than 15 occasions. The alleged abuse occurred at the St. Francis Xavier parish. Abuse also occurred at an athletic club where Fr. Fitzharris would play tennis with other men he knew. Victim DU also remembers that Fr. Fitzharris would invite kids into the rectory to play pinball, bumper pool and other games. On one occasion while at the rectory another priest assigned to St. Francis Xavier observed and was aware that Victim DU was alone with Fr. Fitzharris. Victim DU also stayed overnight at the St. Francis Xavier rectory on one occasion.

ARCHDIOCESE OF CHICAGO


Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

MEMORANDUM

To: File – PFR- 12

From: Leah McCluskey, Office for Child Abuse Investigations and Review 

Re: **REV. JOSEPH FITZHARRIS' [RESIGNED] RESPONSE TO [REDACTED]**
[REDACTED] ALLEGATION OF THE SEXUAL ABUSE OF A MINOR

Date: May 5, 2009

Date of Conference Call: April 3, 2009 **Time of Conference Call: 10:00 am**

Participants in Conference Call

Joseph Fitzharris
Rev. Edward Grace, Vicar for Priests
Leah McCluskey, Office for Child Abuse Investigations and Review

Conference Call

I arrived at the Vicar for Priests' Office just prior to 10:00 am for the scheduled conference call with the former Rev. Joseph Fitzharris. Rev. Edward Grace initiated the scheduled call with Mr. Fitzharris promptly at 10:00 am.

As we continued, Fr. Grace and I thanked Mr. Fitzharris for his time and I informed him that I had an allegation of the sexual abuse of a minor to read to him made by [REDACTED]. When asked, Mr. Fitzharris stated that he did not wish to have a copy of the report of [REDACTED] allegation and he did not want any of the corresponding Review Board determinations and/or decisions made by Francis Cardinal George, O.M.I. sent to him.

I continued by reading the report of [REDACTED] allegation against Mr. Fitzharris. I invited Mr. Fitzharris to stop me if he could not hear me or if he had comments that he wished to make in response to [REDACTED] allegation.

While reading from page three of the report of the allegation where [REDACTED] described Fr. Fitzharris coming outside to watch [REDACTED] and the other boys play while drinking from a mug of beer, Mr. Fitzharris stopped me and said that it was "...never true...totally false...and nonsense..." This was the first of several occasions during our April 3rd phone call where Mr. Fitzharris asked if [REDACTED] and [REDACTED] had the same attorney representing them. I told Mr. Fitzharris that I was not certain if the same attorney represented [REDACTED] and [REDACTED].

As I continued to read from page three where [REDACTED] alleged that Mr. Fitzharris put [REDACTED] on [REDACTED] genitals, Mr. Fitzharris said that was not true. Mr. Fitzharris then said that he "never did anything sexually inappropriate with [REDACTED]...I don't even remember [REDACTED]"

Fr. Grace then asked Mr. Fitzharris about the bedroom in the rectory that [REDACTED] said that he and [REDACTED] had slept in at Mr. Fitzharris' invitation. Mr. Fitzharris said that [REDACTED] and [REDACTED] might have stayed overnight at the rectory. I then asked Mr. Fitzharris if could clarify if he did or did not know [REDACTED] as it was not clear based upon his statements. Mr. Fitzharris stated that the only things that he knows about [REDACTED] are what I had read to him [from [REDACTED] allegation of the sexual abuse of a minor against Fr. Fitzharris]. He then suggested that I compare [REDACTED] allegation with [REDACTED] and asked again that I check to see if they have the same attorney. Mr. Fitzharris commented that he felt that [REDACTED] and [REDACTED] with the help of their attorney had fabricated the allegations against him.

When asked by Fr. Grace, Mr. Fitzharris said that he "rarely" had kids stay overnight at the rectory.

As I continued to read [REDACTED] allegation that Fr. Fitzharris grabbed him by the arm and led him into Fr. Fitzharris' room where the [REDACTED] application had taken place, Mr. Fitzharris said, "...that is not true...it is pure fantasy...absolutely false." When I read that [REDACTED] also alleged that Fr. Fitzharris was naked during this alleged incident of abuse, Mr. Fitzharris said that was not true.

While reading from page four of [REDACTED] allegation about Fr. Fitzharris kissing him on the leg, Mr. Fitzharris remarked, "...that's nonsense." Mr. Fitzharris then said that [REDACTED] "story" contradicts [REDACTED] "story."

As I continued to read the allegation, Mr. Fitzharris also denied fondling [REDACTED] as described.

As I read of the alleged abuse that took place in the hot tub at Midtown Tennis Club, Mr. Fitzharris said that they could not have been naked in a sauna and whirlpool that were both co-ed. Mr. Fitzharris also remarked, "This is bullshit...a lot of horseshit." I then asked Mr. Fitzharris if Midtown Tennis Club had a co-ed whirlpool and sauna. Mr. Fitzharris paused and replied that he could not remember if the sauna was co-ed or not.

[REDACTED]

While reading from page five about Fr. Fitzharris allegedly giving [REDACTED] and the other boys wine to drink, Mr. Fitzharris said that was not true. As I read [REDACTED] allegation that Fr. Fitzharris took him to [REDACTED] and the alleged incident in the shower, [REDACTED] Mr.

Fitzharris added, "None of that [allegedly watching ██████ shower and toweling him off] is true."

When asked, Mr. Fitzharris said that ██████ did live ██████ from St. Francis Xavier church. Also when asked, Mr. Fitzharris said that he is not sure whether or not ██████ was an altar boy. Mr. Fitzharris also remembers ██████, but not the other boy that ██████ mentioned.

Mr. Fitzharris remarked that ██████ never told anyone of his alleged abuse "because it never happened." He again stated that he never did anything sexually inappropriate with ██████ or ██████

When asked, Mr. Fitzharris said that it was probably true that ██████ did go upstairs in the rectory to play pinball and pool. I asked Mr. Fitzharris if he had kids take showers in his quarters in the rectory as described by ██████, to which he responded, "Probably not." When asked, Mr. Fitzharris said that he does not remember what kind of shower he had in his bathroom in the rectory, but said that he never had a [bath]tub. Also when asked, Mr. Fitzharris said that he had the entire third floor of the rectory to himself during the 1980s.

Mr. Fitzharris noted that Charlie Kyle did not have white hair and glasses, as described by ██████

When asked, Mr. Fitzharris said that on the "rare occasions" when boys slept overnight in the rectory they would stay in the living room, which is where the pool table was located on the third floor. Also when asked, Mr. Fitzharris said that he "assumed" that the boys would either sleep on the sofa or on the floor with blankets. When asked, Mr. Fitzharris said that he never had any boys sleep in his room or in his bed and that he was never naked around any boys.

When asked, Mr. Fitzharris said that he does not remember bringing ██████ to Midtown Tennis Club, but that he might have. Also when asked, Mr. Fitzharris said that the other adults that he played tennis with at the club were Tom Pelton, Jim Flynn, and Charlie Tobin.

Mr. Fitzharris denied having any boys on his lap in the hot tub at Midtown Tennis Club. ██████

When asked, Mr. Fitzharris said that he does not remember having boys over to the rectory for dinner, but that he might have. Mr. Fitzharris reiterated that he never provided wine to kids as alleged by ██████. I asked Mr. Fitzharris if there was a cook at the rectory when he was at St. Francis Xavier. ██████

When asked, Mr. Fitzharris said that [Rev.] Joe

Taylor was the pastor when he was at St. Francis Xavier and that [Rev.] Charlie Kyle was assigned there as well.

I asked Mr. Fitzharris if there were any secretaries at St. Francis Xavier when he was there. Mr. Fitzharris said that there were several and recalled that [redacted] was one of them. [redacted]

[redacted]

[redacted]

[redacted]

[redacted] When asked, Mr. Fitzharris said that he never had kids walk around naked in the locker room at Midtown Tennis Club, noting that Midtown was a "very expensive" club [suggesting that would not have been allowed]. Yet when asked by Fr. Grace, Mr. Fitzharris provided the clarification that there were no separate changing areas in the men's locker room at Midtown and that everyone changed in plain sight. When asked by Fr. Grace, Mr. Fitzharris said that children [boys] were allowed in the men's locker room.

Fr. Grace and I again thanked Mr. Fitzharris for his time and for the responses and clarifications that he provided. Mr. Fitzharris was asked to call Fr. Grace or me if he had any questions or concerns.

Joseph Fitzharris

Date



Leah McCluskey, Director

5/5/09
Date

Rev. Edward Grace, Vicar for Priests

Date

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COPY

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

August 18, 2009

Cardinal Francis George, O.M.I.
Archbishop of Chicago
835 N. Rush Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the independent Review Board met on August 15, 2009 and conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris pursuant to Article §1104.10 of the Review Process for Continuation of Ministry. Mr. Fitzharris is a laicized priest of the Archdiocese of Chicago.

The Board made the determination that in light of the information presented, there is reason to suspect that the accused did sexually abuse [REDACTED]

If you have any questions, please feel free to contact me at (312) 534-5205.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah McCluskey".

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

AOC 002231

Victim Statement Abstract

This abstract replaces the memorandum from Matt Hunnicutt, Director of the Office of Assistance Ministry of the Archdiocese of Chicago, to Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, dated February 11, 2009, summarizing the conversation Mr. Hunnicutt had with Victim DU after Victim DU formalized his allegation of abuse against Rev. Joseph Fitzharris on February 10, 2009. Victim DU stated to Mr. Hunnicutt that Fr. Fitzharris rubbed Victim DU's genital area when Victim DU was naked.

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim DV's statement, given to Ms. McCluskey on April 18, 2008, formalizing his allegation of abuse against Rev. Joseph Fitzharris. The abuse consisted of being forced to shower with Fitzharris, being fondled by Fr. Fitzharris while sleeping in Fr. Fitzharris's bed in the St. Francis Xavier rectory, and forcing Victim DV to touch Fr. Fitzharris's penis. On a separate occasion, Fr. Fitzharris slept in the same bed with Victim DV, fondled his genitals throughout the night, and attempted anal penetration. The alleged abuse occurred at the St. Francis Xavier parish rectory and at a house in another state in approximately 1981. Victim DV was in eighth grade and an altar boy at St. Francis Xavier at the time of the alleged abuse.

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Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office





P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

MEMORANDUM

To: File – PFR- 12

From: Leah McCluskey, Office for Child Abuse Investigations and Review 

Re: **RESPONSE OF REV. JOSEPH FITZHARRIS [RESIGNED] TO THE ALLEGATION OF SEXUAL MISCONDUCT MADE BY** 


Date: June 9, 2008

Date of Conference Call: June 3, 2008



Time of Conference Call: 3:30 pm




Participants in Conference Call


Joseph Fitzharris
Rev. Edward Grace, Vicar for Priests
Leah McCluskey, Office for Child Abuse Investigations and Review

Conference Call

I arrived at the Vicar for Priests' Office just prior to the 3:30 pm for the scheduled conference call with the former Rev. Joseph Fitzharris. Rev. Edward Grace initiated the scheduled call with Mr. Fitzharris promptly at 3:30 pm.

As we continued, Fr. Grace and I thanked Mr. Fitzharris for his time and informed him that  made the allegation against him. Mr. Fitzharris responded by saying that he did not know who this person was. When asked, Mr. Fitzharris indicated that he did not have any questions for either Fr. Grace or me. I continued by beginning to read  allegation against Mr. Fitzharris.

I read from the report of  allegation without any questions from Mr. Fitzharris up until I reached page five. Mr. Fitzharris said that he did not know anything about this . He added that he does not know who  is and does not remember him. Mr. Fitzharris remarked that, "...all of this is not true."

As I continued to read and reached page six, Mr. Fitzharris said again, "...this never happened..." Mr. Fitzharris remarked that he does remember  father, but does not remember his accuser at all. He said that the "...allegation is totally false."

As I continued to read and reached page seven, Mr. Fitzharris remarked, "...again...none of this ever happened..." Mr. Fitzharris again referred to the [REDACTED] and said that he did not know anything about it or the people who owned it. He expressed that this was frustrating to him because he did not know who this [REDACTED] is or who these people [in relation to the [REDACTED]] are. Mr. Fitzharris said, "I deny this [REDACTED] allegation] totally."

As I continued to read and reached page eight, Mr. Fitzharris again said that "...this never happened..." He also emphasized that he does not remember ever eating at the [REDACTED] home.

When I concluded reading the entire allegation Mr. Fitzharris said, "...this never happened."

I asked Mr. Fitzharris if he had anything that he wished to say or add. Mr. Fitzharris said that he denies [REDACTED] allegation "100%." When asked for clarification, Mr. Fitzharris said that he remembers [REDACTED] father and said that he was [REDACTED] Mr. Fitzharris remarked that he does remember [REDACTED]

I asked Mr. Fitzharris about [REDACTED] account of being trained as an altar boy by him one hour before mass. Mr. Fitzharris said that he does not remember doing such a thing. He also said that he did not think that would have been the case to train altar boys one hour before they were to serve mass.

When asked for clarification, Mr. Fitzharris said that he does remember [REDACTED] being involved with [REDACTED] at the parish. I asked Mr. Fitzharris if [REDACTED] description of the [REDACTED] sounded familiar to him. Mr. Fitzharris replied that he was not familiar with the [REDACTED]

When asked, Mr. Fitzharris said that he does not know anything about the pictures that [REDACTED] spoke or provided me copies of.

I asked Mr. Fitzharris if [REDACTED] description of his quarters in the rectory was accurate. Mr. Fitzharris said that he had the whole third floor of the rectory and that the two other priests were on the second floor. When asked if he could remember who the other two priests were, Mr. Fitzharris said that his first pastor there was Fr. Frasier and the second was Fr. Taylor. Mr. Fitzharris mentioned that Charlie Kyle was a priest there as well. As per Mr. Fitzharris, he was at St. Francis Xavier for eight years.

I asked Mr. Fitzharris if his shower door in the bathroom of his quarters was glass. Mr. Fitzharris said that he could not remember.

Mr. Fitzharris then spoke out loud about some of his personal history. He said that he was arrested in 1987, had his trial, and pled guilty. Mr. Fitzharris said that he spent six years in therapy and resigned [from the priesthood] 15 years ago. He said that over that time he dealt with the guilt. Mr. Fitzharris then remarked that "...for years and years..." there were no allegations against him and now over the last couple of years, there have been four. He said that

he was guilty [of sexually abusing [REDACTED]]. Mr. Fitzharris added that he is not guilty [of sexually abusing [REDACTED]], or [REDACTED].

I thanked Mr. Fitzharris again for his time and for providing his response to [REDACTED] allegation. I then asked Mr. Fitzharris if he would like copies of related documents sent to him [copy of the allegation and/or future Review Board letters]. Mr. Fitzharris said that he only wants to have positive letters sent to him, such as those indicating that the Review Board finds him not guilty [of [REDACTED] allegation].

Mr. Fitzharris said that he could not explain this, that this [the alleged abuse of [REDACTED]] never happened.

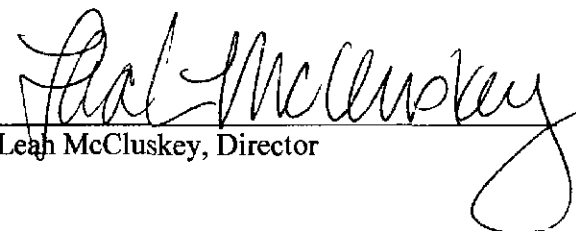
When asked, Mr. Fitzharris said that he does not want a copy of the draft report of our phone conversation sent to him.

Prior to ending the phone call, Mr. Fitzharris responded to Fr. Grace's request for clarification of one of his earlier statements. Mr. Fitzharris said something similar to, "If this were true, I'd lose nothing by admitting it. It's not true."

Fr. Grace and I again thanked Mr. Fitzharris for his time and the phone call was concluded.

Joseph Fitzharris


Date



Leah McCluskey, Director

6/9/08

Date



Rev. Edward Grace, Vicar for Priests

6/10/08

Date

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

October 20, 2008

FILE COPY

Cardinal Francis George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the independent Review Board met on October 18, 2008 and conducted a Review for Cause of [REDACTED] allegation of sexual misconduct against the former Rev. Joseph Fitzharris pursuant to Article §1104.10 of the Review Process for Continuation of Ministry. Mr. Fitzharris is a resigned priest of the Archdiocese of Chicago.

The Board made the determination that in light of the information presented, there is reason to suspect that the accused did sexually abuse [REDACTED]

If you have any questions, please feel free to contact me at [312] 751-5205.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leah McCluskey".

Leah McCluskey
Director, Office for Child Abuse Investigations and Review

AOC 002237

ARCHDIOCESE OF CHICAGO


Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office




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Chicago, Illinois 60690-1979
312-751-5254, general
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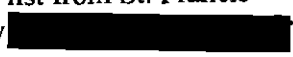
MEMORANDUM



To: File – PFR - 12

From: Leah McCluskey, Office for Child Abuse Investigations and Review 


Re: Fitzharris, Rev. Joseph [Resigned] 


Date: July 21, 2008

Earlier today I received a phone call from Rev. Thomas Tivy, pastor of Resurrection parish on Nelson Street in Chicago. Fr. Tivy was calling to respond to Santa Garcia's request made on behalf of this office for a possible altar server list from St. Francis Xavier [now Resurrection] during the time period identified by  in his allegation against the former Rev. Joseph Fitzharris.

Fr. Tivy stated that for the identified time period, there were no altar server lists for the Spanish Masses. As per Fr. Tivy, the Spanish Mass was always at 12:15pm and it was not published in the bulletin. Fr. Tivy said that in all of the bulletins that he looked through for the identified time period, even though he does not have a complete record of all bulletins, there was no altar server [for the English masses] with the name   listed.

Fr. Tivy said that he thinks that the altar servers for the Spanish Masses were not listed "in those days" because Spanish-speaking parishioners did not take the bulletins due to the fact that they were only printed in English. As a result, information was passed among those who only spoke Spanish through word of mouth.

Fr. Tivy said that he only found one student with the last name  who graduated from St. Francis Xavier, but that the student was female.

I thanked Fr. Tivy for all of his assistance with this matter. Fr. Tivy may be reached at 

Victim Statement Abstract

This abstract replaces the summary prepared by Leah McCluskey, Professional Responsibility Administrator for the Archdiocese of Chicago's Office of Professional Responsibility, of Victim DW's statement, given to Ms. McCluskey on February 6, 2009, formalizing her allegation of abuse against Rev. Joseph Fitzharris. The alleged abuse consisted of fondling under Victim DW's clothing, which occurred when Victim DW was between nine and fourteen years old between approximately 1981-1986. The alleged abuse occurred at the St. Francis Xavier parish rectory and during several out-of-state trips. Victim DW also stated that Fr. Fitzharris took her to an athletic club in Chicago where Fr. Fitzharris would meet with other priests. Victim DW also stated that there were rumors among the students at St. Francis Xavier that Fr. Fitzharris was a pervert.

PAR-12

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

FILE COPY

MEMORANDUM

To: Rev. John Collins, Vicar for Priests

From: Leah McCluskey, Office for Child Abuse Investigations and Review

Re: Fitzharris, Rev. Joseph (Laicized)

Date: August 6, 2009

As you may know, formalized her allegation of the sexual abuse of a minor against Rev. Joseph Fitzharris. This allegation was presented to Mr. Fitzharris for his response via phone on April 21, 2009. During the April 21st phone call, Mr. Fitzharris stated that he did not want a copy of the report of allegation against him mailed to him, nor did he want any other paperwork from my office mailed to him "unless it was good news." For these reasons, I have not sent Mr. Fitzharris a copy of the report of allegation against him or any letters with regard to Francis Cardinal George, O.M.I.'s decisions concerning the Initial Review and Review for Cause of this matter before the Review Board.

The Review Board conducted an Initial Review of allegation of the sexual abuse of a minor against Mr. Fitzharris on April 18, 2009. Cardinal George accepted the Review Board determination that this matter warranted additional investigation.

The Review Board conducted a Review for Cause of this matter on July 18, 2009. Cardinal George has accepted the Review Board's determination that there is reasonable cause to suspect that Mr. Fitzharris sexually abused when she was a minor.

Please feel free to contact me at (312) 534-5205 if you have any questions about this information.

Bc: John C. O'Malley
Office of Legal Services

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



PO Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax (312) 751-5279

Professional Responsibility Review Board
Saturday, January 15, 2005 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[REDACTED]

Members absent:

[REDACTED]

Non-members present:

Leah McCluskey, Professional Responsibility Administrator [PRA] 
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

-
- I. Approval of Minutes – December 4, 2004
 - Unanimously approved [8-0]

 - II. [REDACTED] Review Board Chair addressed the Board
 - Suggested that Board members notify PRA of any scheduled, anticipated absences at future meetings as early as possible
 - May 21, 2005: no [REDACTED]
 - June 18, 2005: no [REDACTED]
 - September 17, 2005: no [REDACTED]

 - Commented on the December 4, 2004 Review Board meeting
 - Suggested that there be an annual in-service for the Board
 - [REDACTED]

 - Requested suggestions of other Review Board members for changes/improvements to current system
 - Suggestion that Assistance Ministry representative at meeting where allegation is given provide written remarks or “brief impression” regarding the meeting and the individual bringing forward the allegation

 - Agreed that as of January 15, 2005, all Board members will keep their documentation of cases until the matter is concluded [conclusion of Review for Cause]
 - PRA will note on subsequent Review Board agendas the corresponding dates of cases [Initial Reviews; prior presentations of Review for Cause] where Board members will be asked to refer to and bring their notes for such cases

III. Case Reviews

Initial Review

A. In the Matter of Joseph L. Fitzharris [Resigned 1995] - PFR - 12

The Review Board conducted an Initial Review regarding the allegation made by [REDACTED]. The claim is as follows: touching breasts and vaginal area.

In a 8-0 vote, in light of the information presented, the Board determined that this matter warrants additional investigation. The Board also requested that PRA ask [REDACTED] if she is familiar with a person named "[REDACTED] [anonymous letter received regarding [REDACTED]'s allegation—see file]." In a 5-3 vote, it was determined that there would be no criminal background check done on [REDACTED].

In the Matter of Joseph L. Fitzharris [Resigned 1995] - PFR - 12

The Review Board conducted an Initial Review regarding the allegation made by [REDACTED]. The claim is as follows: cleric initiated hugs to his groin area and hugging where [REDACTED] face and chest would be pressed to his groin. Cleric would fondle [REDACTED] vaginal area under her dress while talking to her siblings and at times would pull on her breasts and remark "how cute they are." Also, cleric would take her hand and place it on his penis "a lot."

In a 8-0 vote, in light of the information presented, the Board determined that this matter warrants additional investigation. The Board also requested that PRA ask [REDACTED] about her older sister [REDACTED] as well as a younger sister mentioned as possible victims of Fr. Fitzharris. The Board asked that PRA then ask the two other sisters if Fr. Fitzharris had them sit on his lap when they were minors.

B. In the Matter of [REDACTED]

[REDACTED]

C. In the Matter of

[REDACTED]

[REDACTED]

D. In the Matter of

[REDACTED]

Review for Cause

A. In the Matter of Joseph L. Fitzharris [Resigned 1995] - PFR - 12

The Review Board was to conduct a Review for Cause regarding the allegation made by [REDACTED]. The claim is as follows: cleric was naked in bed with [REDACTED] cleric had [REDACTED] on top of him in bed where he fondled the minor until both fell asleep; cleric undressed [REDACTED] and had both shower together; during shower, cleric had [REDACTED] wash each other.

In a 8-0 vote, in light of the information presented, the Board continued this matter to the scheduled February 12, 2005 meeting so that PRA may obtain the following requested information:

- That PRA ask [REDACTED] for copies of any other family pictures that indicate Fr. Fitzharris knowing the [REDACTED] Family well.
- That PRA ask [REDACTED] to provide a description of the room where Fr. Fitzharris allegedly abused him.
- In a 6-2 vote, the Board recommended against obtaining a criminal background check on [REDACTED]

B. In the Matter of [REDACTED]

[REDACTED]

C. In the Matter of [REDACTED]

[REDACTED]

Next scheduled meeting is Saturday, February 12, 2005 at 9:00 a.m.

Cc: Review Board Members
Rev. Daniel A. Smilanic, Cardinal's Delegate to the Review Board
Rev. James T. Kaczorowski, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Francis Cardinal George, O.M.I.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205

(312) 751-5279

PROFESSIONAL RESPONSIBILITY REVIEW BOARD MEETING

Saturday, January 15, 2005

AGENDA

I. Approval of Minutes – December 4, 2004

II. Case Reviews

Initial Review:

A. In the Matter of Joseph L. Fitzharris (Resigned 1995) – PFR-12

- Allegations made by [REDACTED] and [REDACTED]

B. In the Matter of [REDACTED]

- [REDACTED]

C. In the Matter of [REDACTED]

- [REDACTED]

D. In the Matter of [REDACTED]

- [REDACTED]

Review for Cause:

A. In the Matter of Joseph L. Fitzharris (Resigned 1995) – PFR-12

- Allegation made by [REDACTED]

B. In the Matter of [REDACTED]

- [REDACTED]
- [REDACTED]

C. In the Matter of [REDACTED]

- [REDACTED]

III. Other Matters

The next scheduled Board Meeting is for Saturday, February 12, 2005

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

Professional Responsibility Review Board
Saturday, January 21, 2006 9:00 am to 1:00 pm

(312) 751-5205
Fax: (312) 751-5279
www.archchicago.org

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Absent:

None

Non-members present:

Leah McCluskey, Professional Responsibility Administrator [PRA] 
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

I. Approval of Minutes – December 3, 2005

- Changes made and to be indicated on Revised December 3, 2005 Agenda for distribution
- Expressed concern by Review Board members regarding Cardinal George's corrections made to the December 3, 2005 minutes; PRA noted to Board members that the corrections made by the Cardinal were corrections to his own comments made during his presence/contribution to the December 3, 2005 meeting
- After corrections recorded by PRA, the minutes from the December 3, 2005 meeting were approved

II. Other Matters

[REDACTED]



III. Case Reviews

Initial Review

A. In the Matter of Rev. Joseph L. Fitzharris [Resigned 1995] – PFR 12

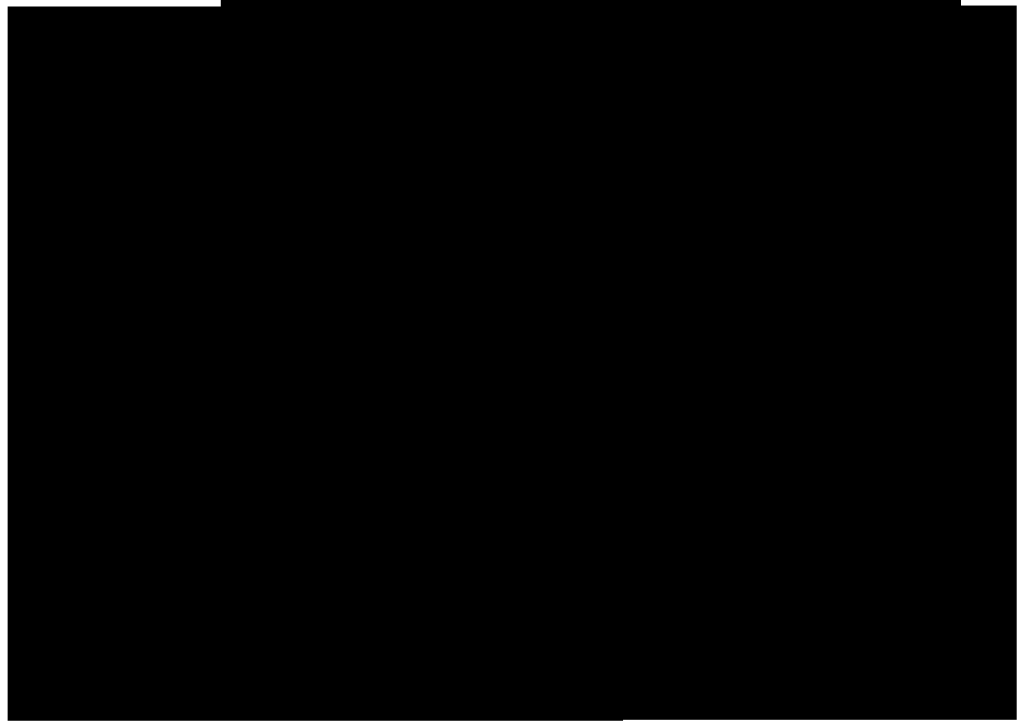
The Review Board conducted an Initial Review of the allegation made by [REDACTED]. The allegation is as follows: alcohol, masturbation, anal penetration with finger, and Fr. Fitzharris ejaculating on [REDACTED].

In a 8-0 vote in light of the information presented, the Review Board recommended that this matter warrants additional investigation. The Board also directed PRA to follow through with the following:

- To attempt to determine through [REDACTED] attorney [REDACTED] his client's age and/or grade when the alleged abuse took place
- To ask [REDACTED] via Mr. [REDACTED] to identify what kind of pool table he refers to in his formal allegation [a bumper pool or a regular pool table]
- To attempt to locate and then contact [REDACTED]
- To request [REDACTED]
- To ask [REDACTED] about his past military experience

The Board also expressed their concern with Mr. [REDACTED]'s letter on behalf of [REDACTED] citing his client's "recovered memory."

In the Matter of [REDACTED]



[REDACTED]

In the Matter of

[REDACTED]

Review for Cause
In the Matter of

[REDACTED]

Other Matters [continued]
In the Matter of

- [REDACTED]



IV. Discussion

- 
- 
- 
- 
- Some discussion by Board members about the upcoming February 11, 2006 In-Service

Next scheduled meeting is Saturday, March 18, 2006 at 9:00 a.m.

Cc: Review Board Members
Rev. Daniel A. Smilanic, Cardinal's Delegate to the Review Board
Rev. Vincent Costello, Vicar for Priests
Rev. Edward D. Grace, Vicar for Priests
Francis Cardinal George, O.M.I.
Jimmy Lago, Chancellor

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-751-5388
312-751-8307, fax

CORRECTED

Office for Child Abuse Investigations and Review

Review Board

Monday, October 20, 2007 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Present Via Phone:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review (M)
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Patricia Zacharias, Assistant Director, Office for Child Abuse Investigations and Review

I. **Approval of Minutes – September 15, 2007**

- Minutes approved

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]



II. Case Reviews
Initial Review

In the Matter of Rev. Joseph Fitzharris [Resigned] – PFR - 12

The Review Board conducted an Initial Review of [redacted] allegation of the sexual abuse of a minor by the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: sleeping overnight in the rectory in the nude, fondling; fondling while nude in Jacuzzi at Midtown Tennis Club.

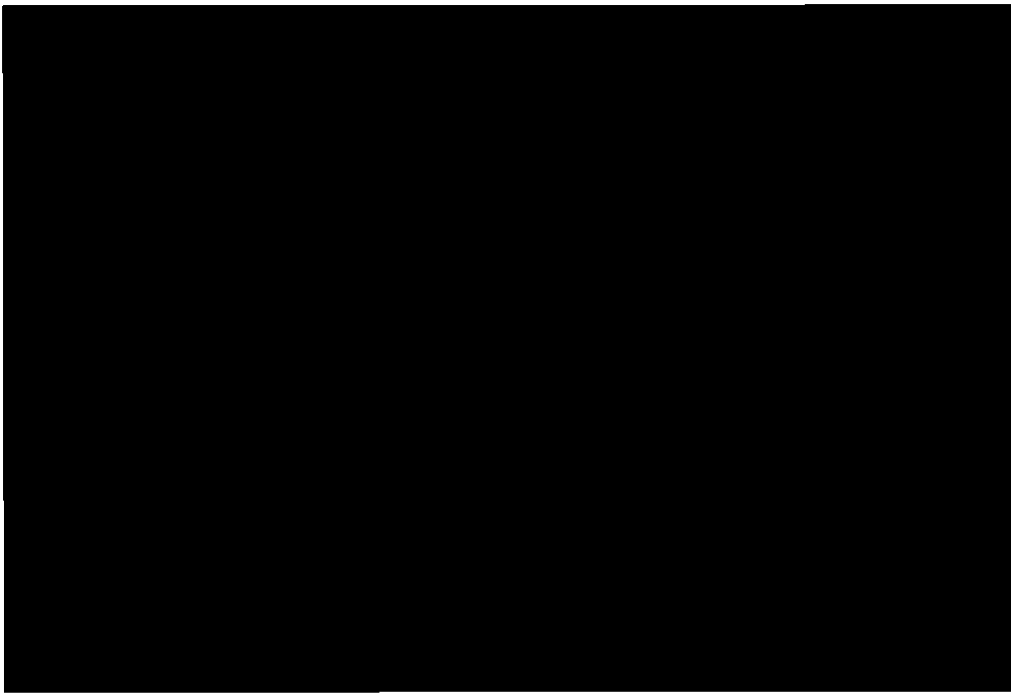
Ms. McCluskey read Mr. Fitzharris' response to [redacted]'s allegation from the October 8, 1997 draft report.

In an 8-0 vote in light of the information presented, the Board determined that this matter warrants additional investigation.

In the interim, the Board members directed Ms. McCluskey to do the following:

- To send a letter to Mr. Fitzharris asking him to put into writing and sign that he does not want a copy of [redacted] allegation and/or the draft report of his response sent to him
- To attempt to determine if the Midtown Tennis Club has/had a co-ed Jacuzzi
- Attempt to locate and speak with [redacted]
- Attempt to locate and speak with Mr. Fitzharris' former tennis partners [as identified in his response to the allegation]
- Check the floor plan at St. Francis Xavier [now Resurrection] rectory

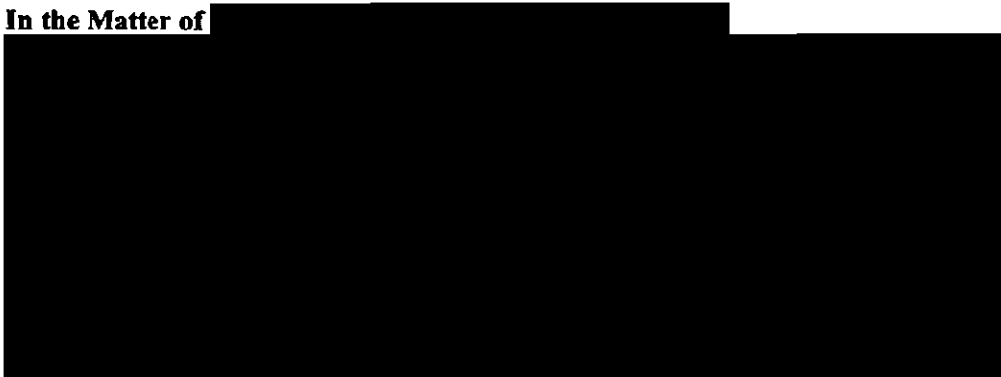
B. In the Matter of [redacted]
[redacted]



C. In the Matter of

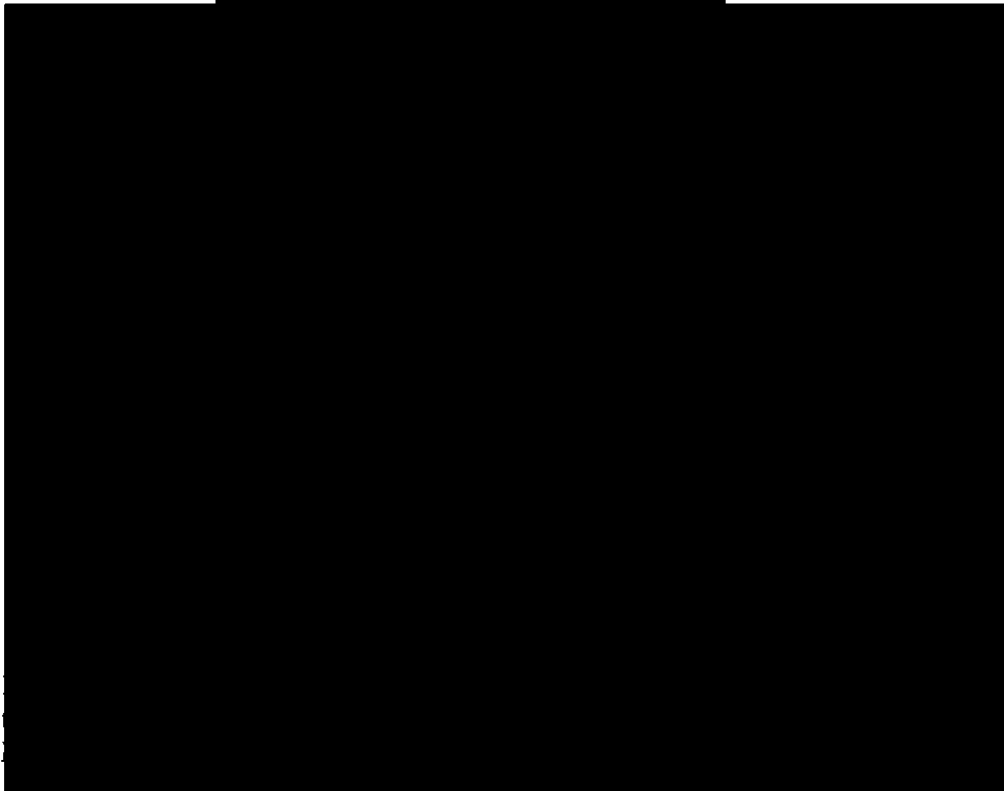


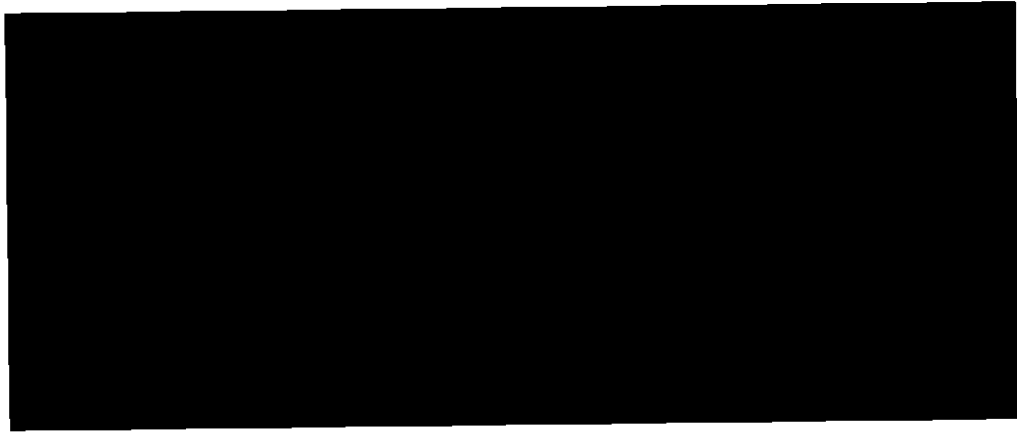
D. In the Matter of





In the Matter of





III. Request for Supplementary Review

E. In the Matter of

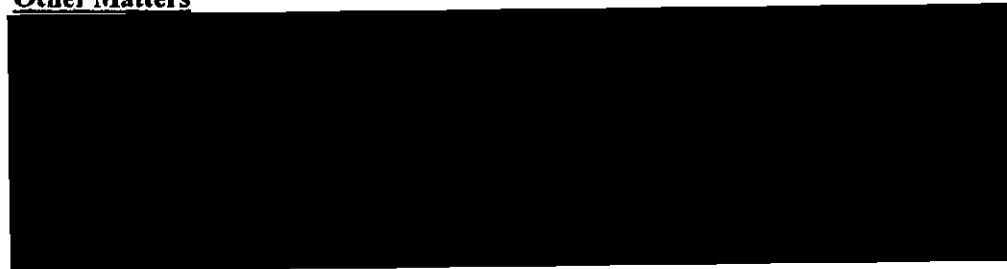


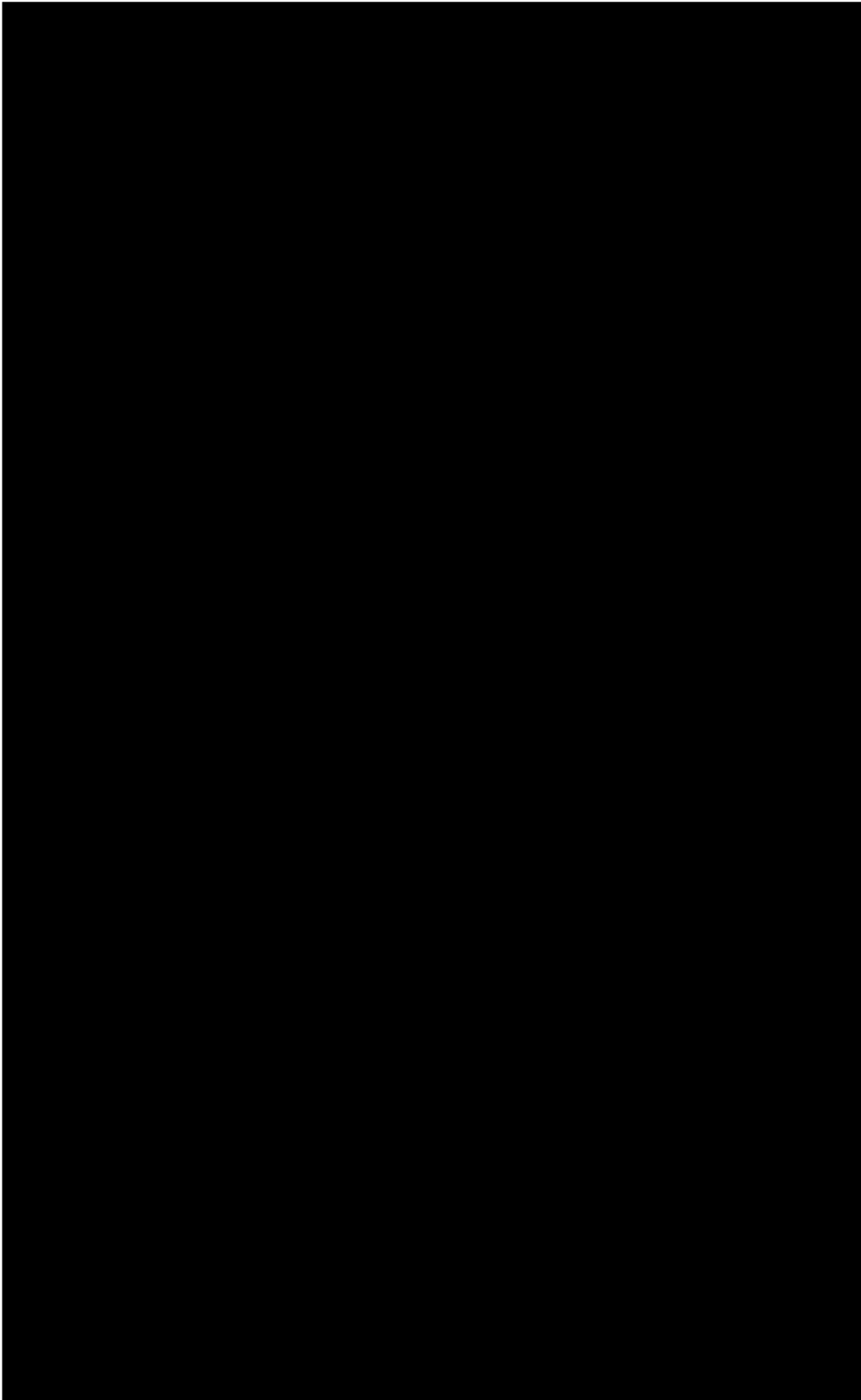
IV. Request for Supplementary Review

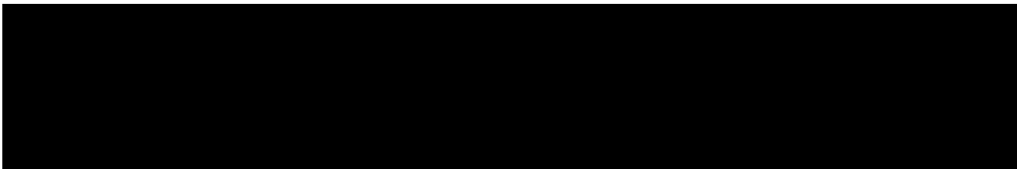
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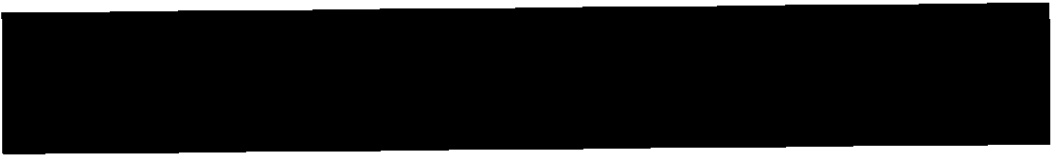


V. Other Matters









Next scheduled meeting is Saturday, November 17, 2007 at 9:00 a.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Conference Call
Thursday, April 3, 2008 1:15 pm to 1:45 pm

MINUTES

Review Board Member Participants in Conference Call:

Review Board Members Unable to Participate in Conference Call:

Non-member Participants in Conference Call:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

- [REDACTED] explained the purpose of the April 3, 2008 Conference Call; noted that there were three lay members and three clergy members at the beginning of the call and therefore as per policy, clerics may not carry a motion
- [REDACTED] explained that there was not a quorum at the March 15, 2008 Review Board meeting; stated that the Board members present that day in addition to himself were [REDACTED]
- [REDACTED] stated that those members present at the March 15th meeting discussed the matters on the [March 15, 2008] Agenda without taking any votes; discussion recorded and reflected in March 15, 2008 Meeting Minutes; agreed that an attempt would be made to schedule a Conference Call to discuss the Initial Review matters prior to the next Review Board meeting scheduled for April 26, 2008
- [REDACTED] stated that the Initial Review and Request for Supplementary Review matters would be discussed during the April 3rd Conference Call; noted that the Review for Cause matters would be discussed at the scheduled April 26th meeting
- [REDACTED] reiterated that there was no vote taken on any of the matters discussed at the March 15th meeting, but that consensus recommendations were made to be shared with the entire Review Board
- At this point during the April 3rd meeting, [REDACTED] joined the Conference Call; [REDACTED] provided [REDACTED] with the aforementioned update

I. Case Reviews

Initial Review

A. In the Matter of Rev. Joseph Fitzharris [Resigned 1995] – PFR - 12

The Review Board conducted an Initial Review of [REDACTED] allegation of the sexual abuse of a minor by the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: about seven total incidents; both Fr. Fitzharris and [REDACTED] disrobed, fondling by the cleric; in car, Fr. Fitzharris touching over clothing, kissing; massaging, masturbating by Fr. Fitzharris; Fr. Fitzharris had [REDACTED] fondle his [cleric's] genital area.

Ms. McCluskey referred the Review Board members to the March 15, 2008 Meeting Minutes. She noted that there seems to be a difference between an investigation done out of the Office for Child Abuse Investigations and Review and an investigation done in relation to a claim for a financial settlement. Ms. McCluskey read from the March 15th minutes, "...the members present discussed the matter and expressed that there was no additional information needed because of Mr. Fitzharris' admission."

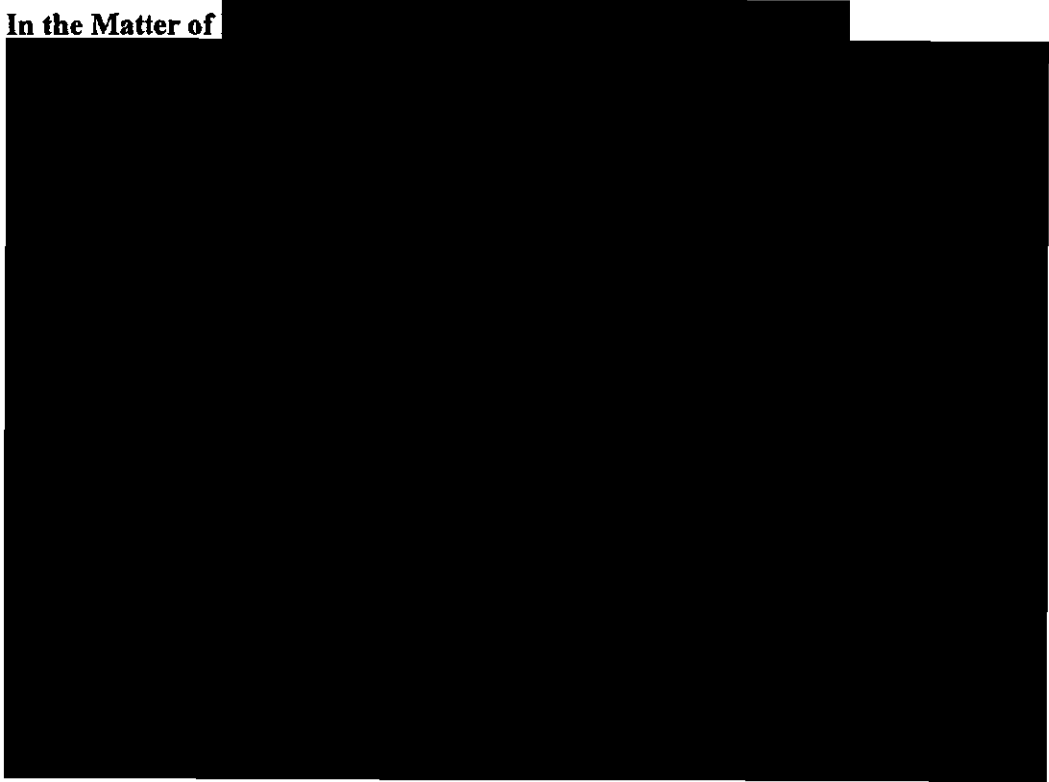
When asked, Fr. Smilanic addressed the question if a vote was necessary to determine if this matter warrants additional investigation or not, in light of Mr. Fitzharris' admission. Fr. Smilanic expressed the opinion that the Board observe the mechanics of the policy and procedure so that there is consistency in all matters before the Board and therefore, voting on whether or not this matter warrants additional investigation.

In a 7-0 vote in light of the information presented, the Board determined that this matter warrants additional investigation.

B. In the Matter of [REDACTED]

[REDACTED]

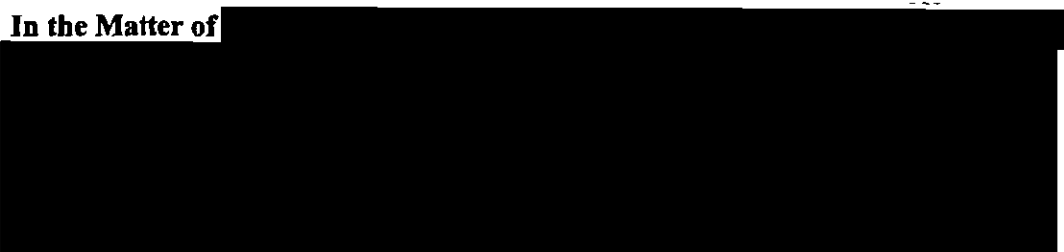
C. In the Matter of



D. In the Matter of



E. In the Matter of



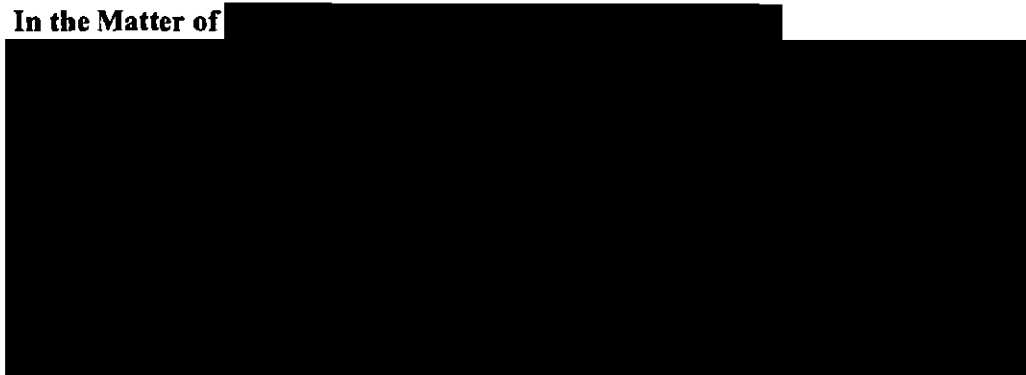


Review for Cause

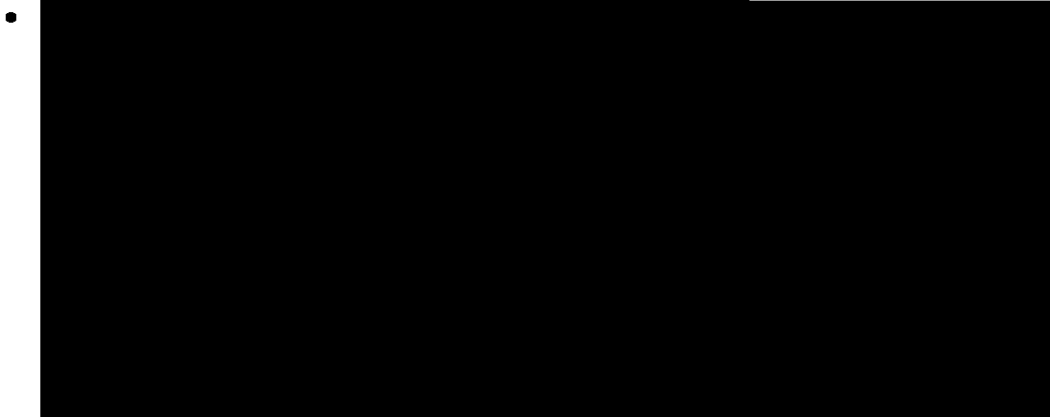
F. In the Matter of

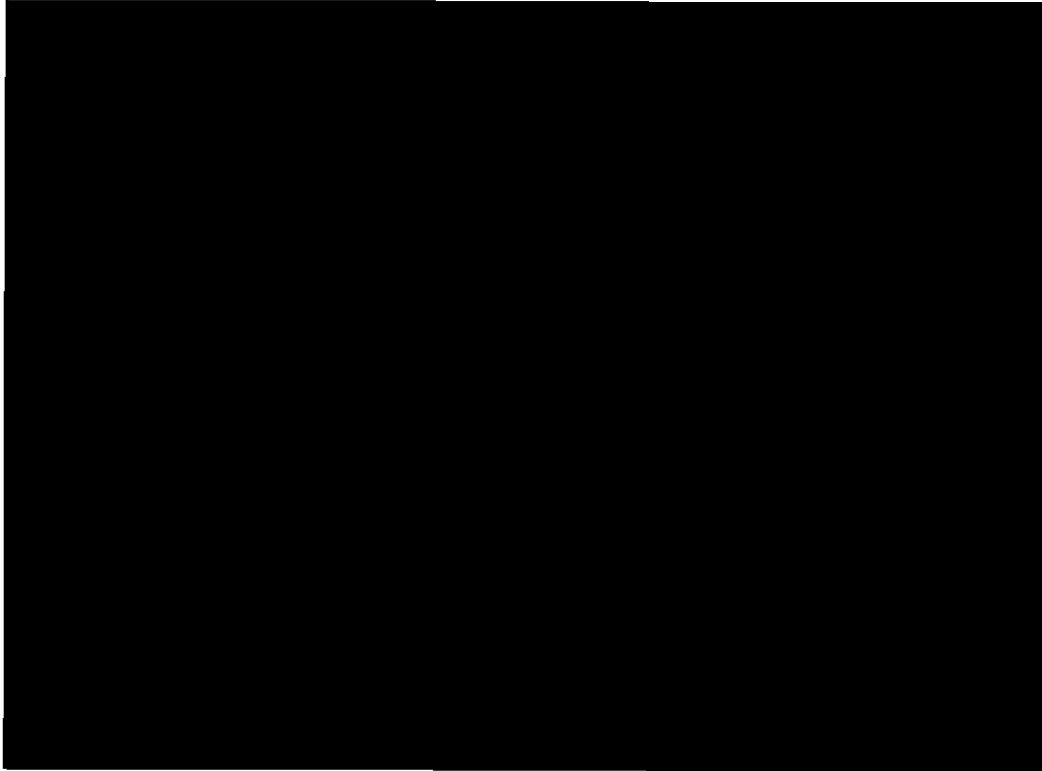


In the Matter of



II. Request for Supplementary Review





Next scheduled meeting is Saturday, April 26, 2008 at 9:00 a.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-751-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board
Saturday, March 15, 2008 9:00 am to 1:00 pm

MINUTES


Review Board Members Present:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review 
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Patricia Zacharias, Assistant Director, Office for Child Abuse Investigations and Review

I. Approval of Minutes – February 16, 2008

- Minutes approved
- By 9:30am, there were only five members present and it was determined that discussions of the following cases would proceed with the understanding that there would not be a quorum and therefore, no votes could be taken on any of the matters
- [REDACTED]
- Noted that the next Review Board meeting is scheduled for Saturday, April 26, 2008
- Noted that the May 2008 Review Board meeting is cancelled

- [REDACTED] will not be present at the June 14, 2008 or September 13, 2008 scheduled Review Board meetings

II. Case Reviews

Initial Review

A. In the Matter of Rev. Joseph Fitzharris [Resigned 1995] – PFR - 12

The Review Board was to conduct an Initial Review of [REDACTED] [REDACTED] allegation of the sexual abuse of a minor by the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: about seven total incidents; both Fr. Fitzharris and [REDACTED] disrobed, fondling by the cleric; in car, Fr. Fitzharris touching over clothing, kissing; massaging, masturbating by Fr. Fitzharris; Fr. Fitzharris had [REDACTED] fondle his [cleric's] genital area.

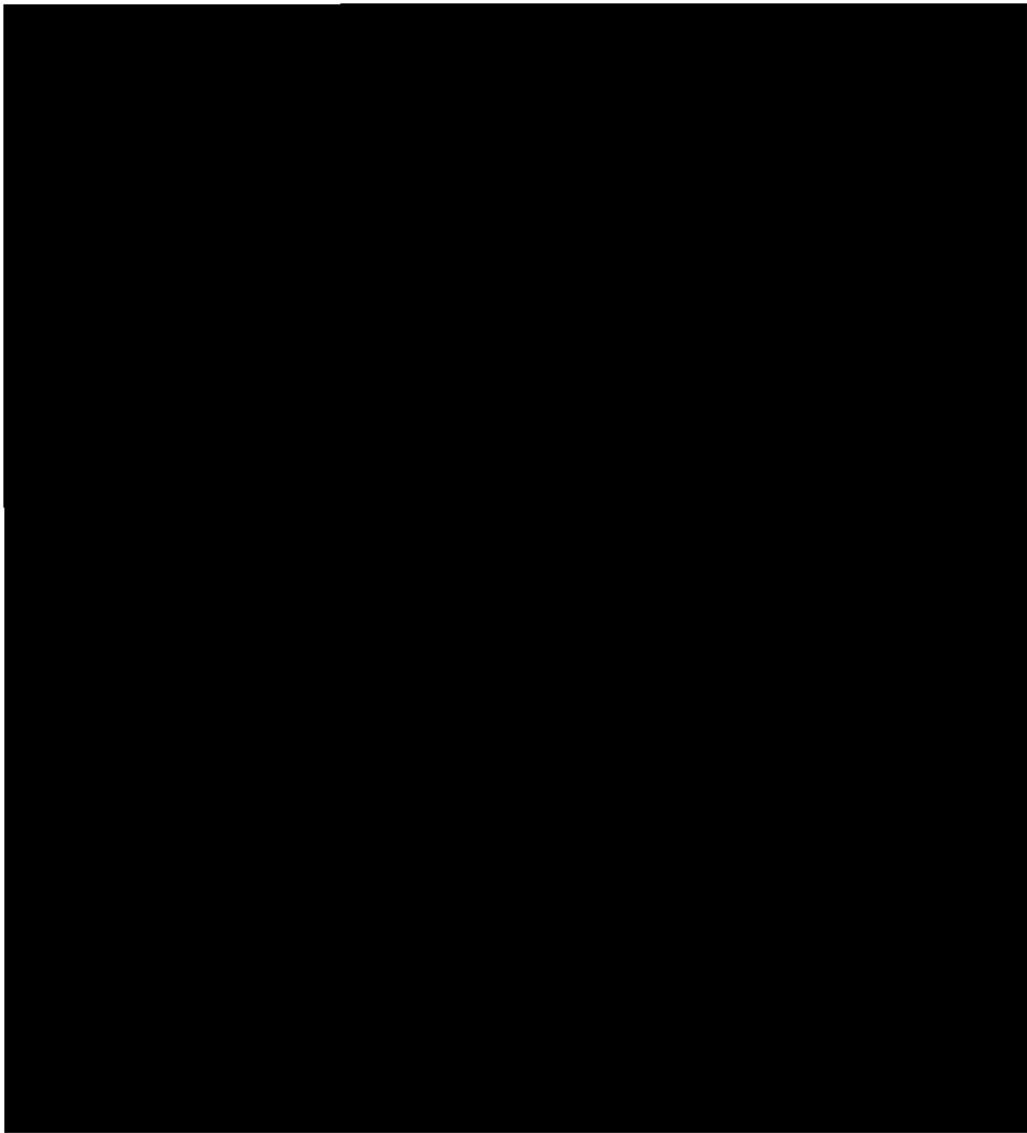
Due to the fact that there was not a quorum, the Board could not render a vote. However, the members present discussed the matter and expressed that there was no additional information needed because of Mr. Fitzharris' admission. The consensus of those present was that this matter bears further investigation.

B. In the Matter of [REDACTED]

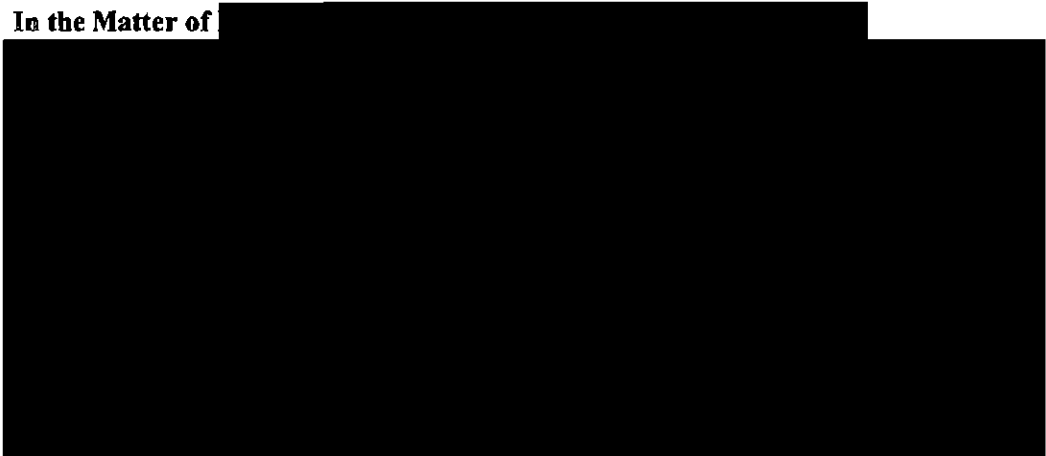
[REDACTED]

C. In the Matter of [REDACTED]

[REDACTED]

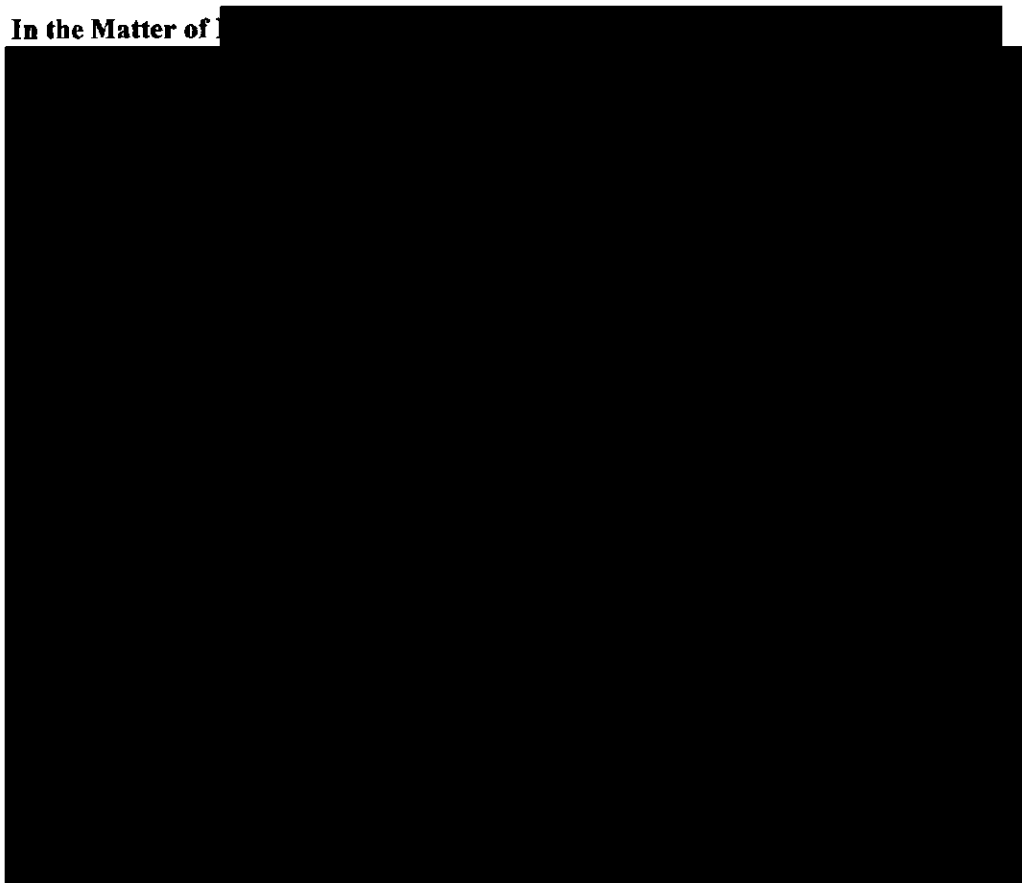


D. In the Matter of





E. In the Matter of



• [REDACTED]

Review for Cause

F. In the Matter of

[REDACTED]

In the Matter of

[REDACTED]

III. Request for Supplementary Review

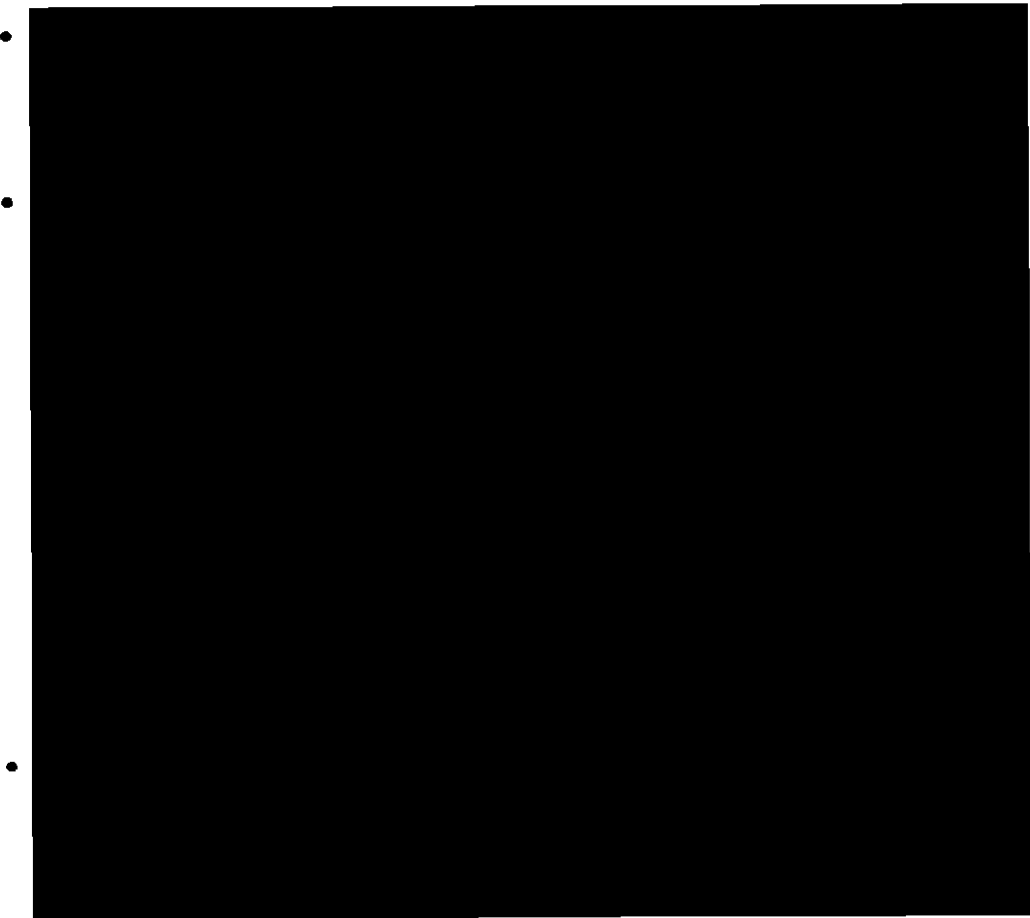
- [Redacted]
- [Redacted]

IV. Other Matters

- [Redacted]
- [Redacted]

Updates

- [Redacted]



-
-
-
- At the end of the March 15th meeting, it was suggested that a Conference Call be scheduled for March 27, 2008 at 12p with the proposal to have further discussion of the Initial Reviews and the Review for Causes on the March 15th agenda; a quorum would be necessary for the Conference Call to take place; it was requested that Ms. McCluskey type a summary of the March 15th meeting and have copies sent out in packets to all Review Board members to be read in preparation for the suggested Conference Call

Next scheduled meeting is Saturday, April 26, 2008 at 9:00 a.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



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312-751-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board

Saturday, January 19, 2008 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[Redacted]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

②

[Redacted]

- I. **Approval of Minutes** – October 20, 2007 [revised] and November 17, 2007
 - October 20, 2007 [revised] and November 17, 2007 minutes approved

- II. **Case Reviews**
Initial Review

- A. **In the Matter of** [Redacted]

[Redacted]

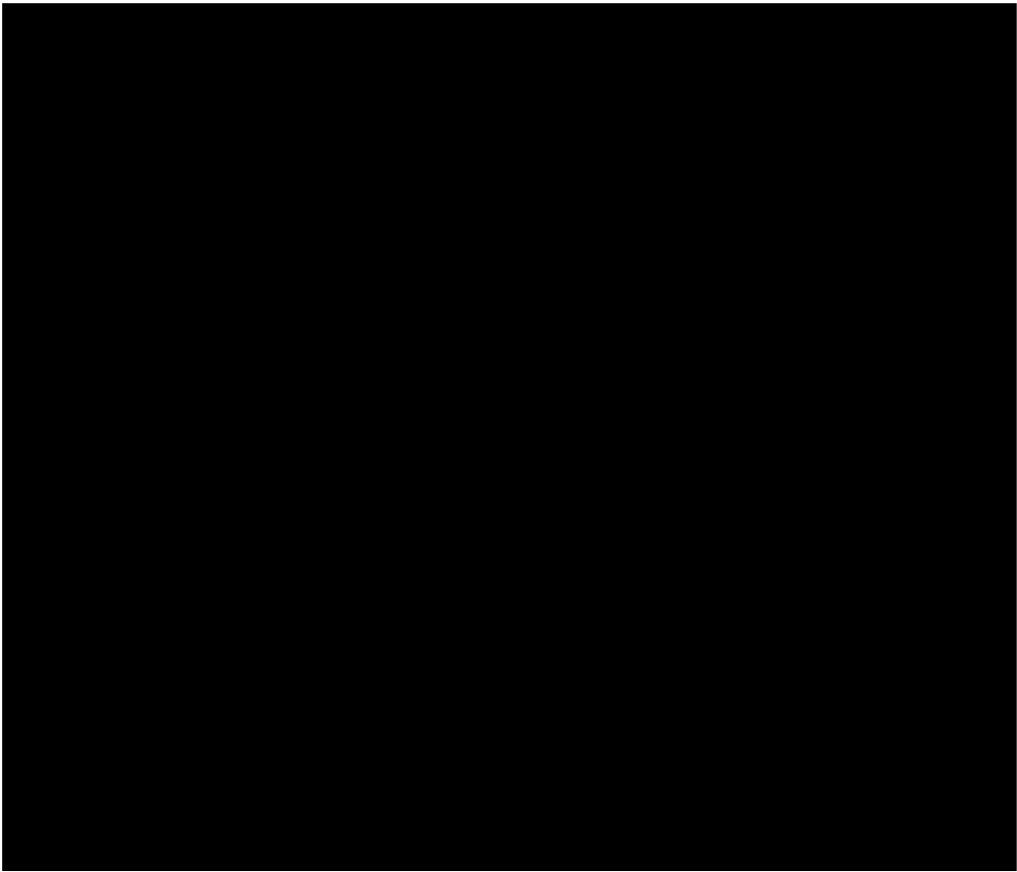
B. In the Matter of

[REDACTED]

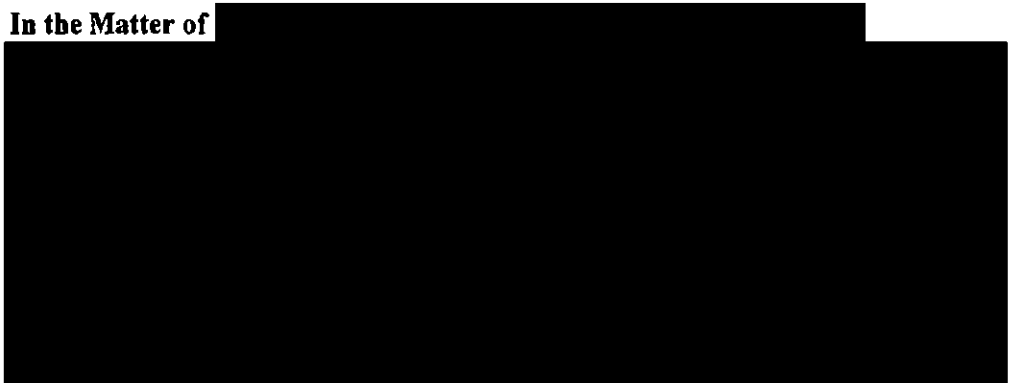
[REDACTED]

C. In the Matter of

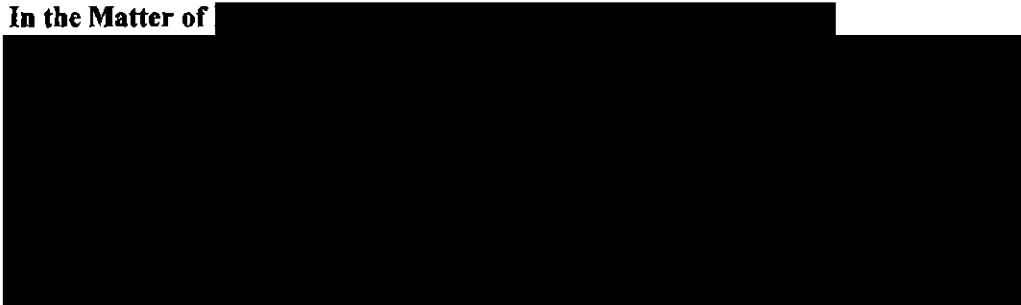
[REDACTED]



D. In the Matter of



E. In the Matter of



[REDACTED]

In the Matter of [REDACTED]

In the Matter of [REDACTED]

Review for Cause

F. In the Matter of Rev. Joseph Fitzharris [Resigned] – PFR - 12

The Review Board conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor by Rev. Joseph Fitzharris. A summary of the allegation is as follows: sleeping overnight in the rectory in the nude, fondling; fondling while nude in Jacuzzi at Midtown Tennis Club.

In a 9-0 vote in light of the information presented, the Board determined that there is reason to suspect that the accused has engaged in sexual abuse of a minor.

G. In the Matter of [REDACTED]



III. Canonical Updates

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

IV. Other Matters

- [Redacted]
- [Redacted]
- [Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

- [Redacted]
- [Redacted]

[Redacted]

Next scheduled meeting is Saturday, February 16, 2008 at 9:00 a.m.

Office for Child Abuse Investigations and Review

Review Board

Saturday, May 31, 2008 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Present Via Phone:

[REDACTED]

Review Board Members Not Present:

Rev. Lawrence Sullivan, Dr. Domeena Renshaw

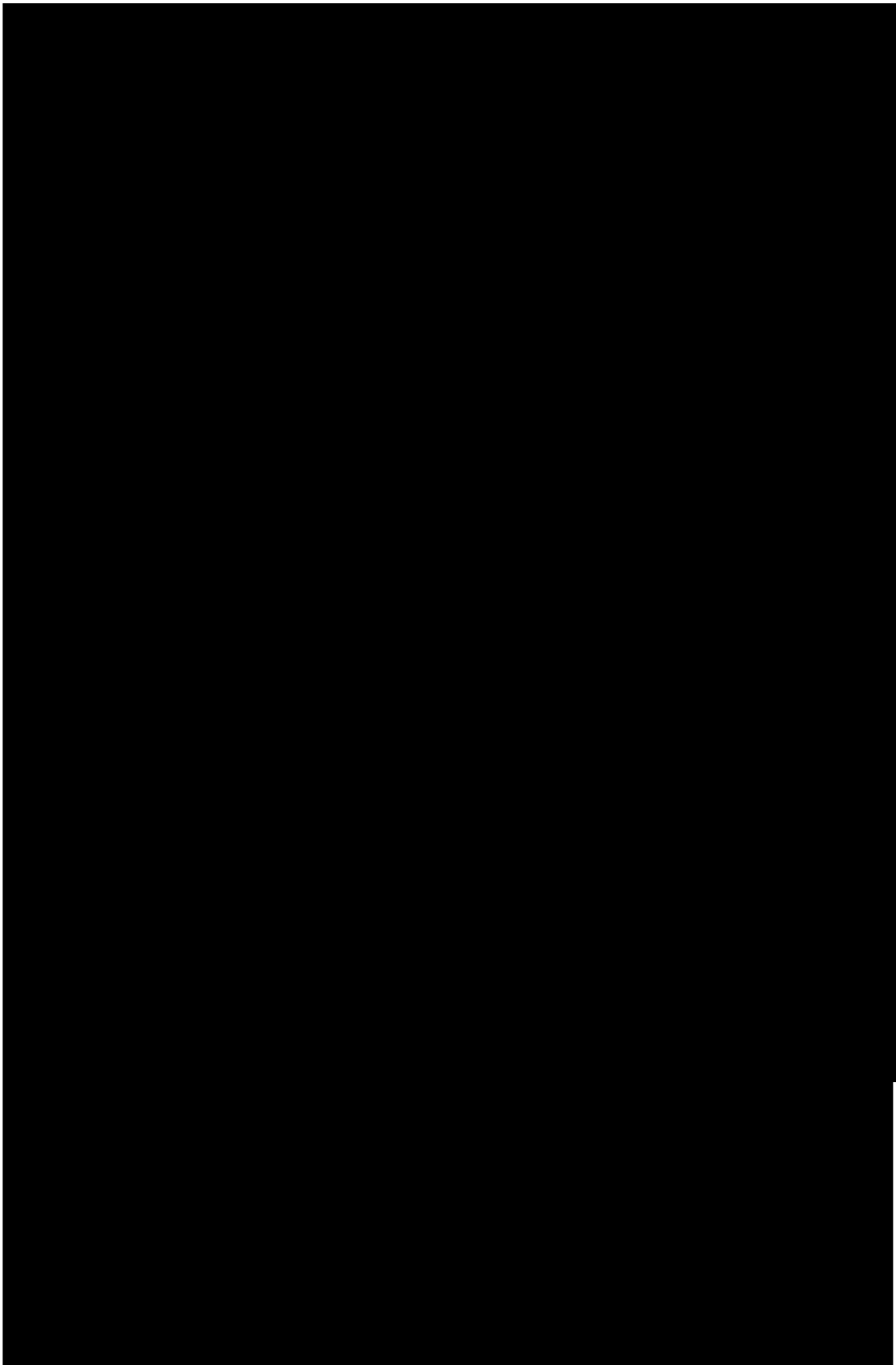
Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

- [REDACTED]

- [REDACTED]
- [REDACTED]

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- I. **Approval of Minutes** – April 26, 2008
 - Minutes approved

- II. **Case Reviews**
 - Initial Review**

- A. **In the Matter of**

[REDACTED]

- B. **In the Matter of**

[REDACTED]

Review for Cause

C. In the Matter of



D. In the Matter of



E. In the Matter of



[REDACTED]

F. In the Matter of [REDACTED]

[REDACTED]

G. In the Matter of Rev. Joseph Fitzharris [Resigned 1995] – PFR - 12

The Review Board conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor by the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: about seven total incidents; both Fr. Fitzharris and [REDACTED] disrobed, fondling by the cleric, in car, Fr. Fitzharris touching over clothing, kissing, massaging, masturbating by Fr. Fitzharris, Fr. Fitzharris had [REDACTED] fondle his [cleric's] genital area.

Ms. McCluskey verbalized the fact that Mr. Fitzharris did admit to one incident of sexually abusing [REDACTED]. However, the one admitted incident was not one that [REDACTED] had alleged.

In a 7-0 vote in light of the information presented, the Board determined that there is reason to suspect that the accused has engaged in sexual abuse of a minor.

H. In the Matter of [REDACTED]

[REDACTED]

[REDACTED]

I. In the Matter of

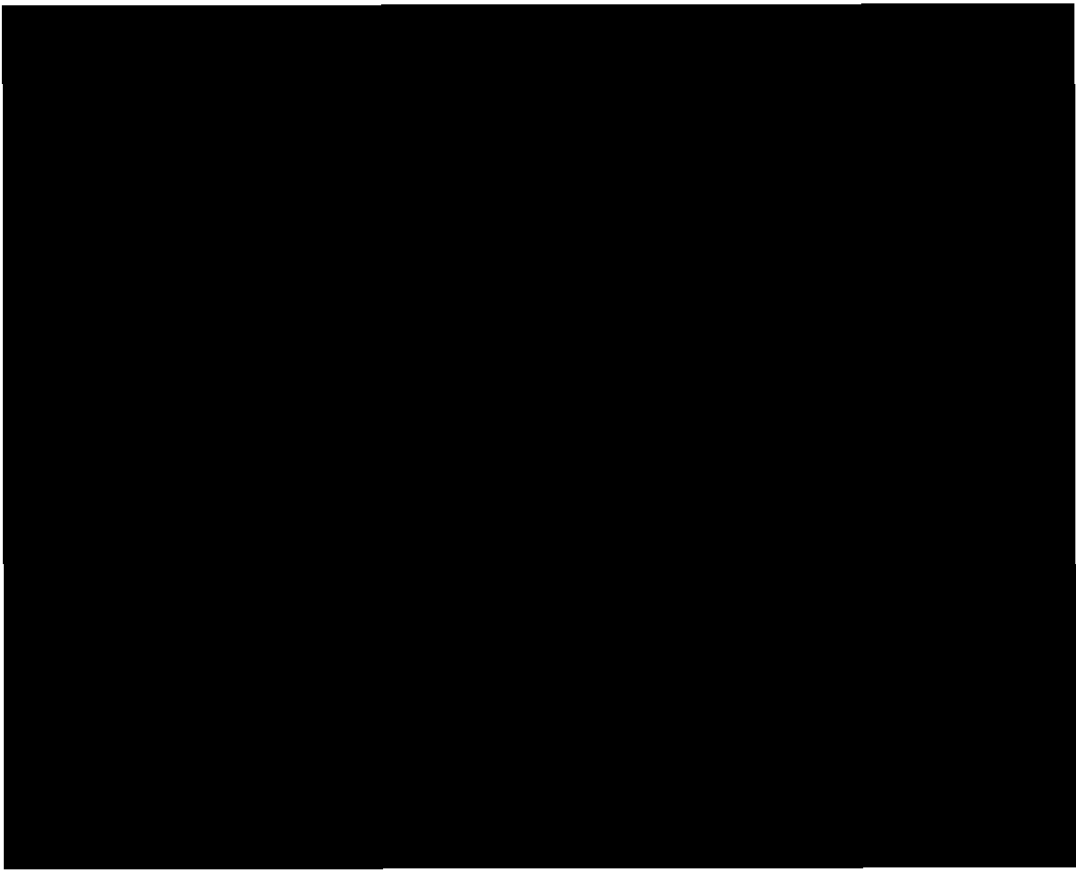
[REDACTED]

J. In the Matter of

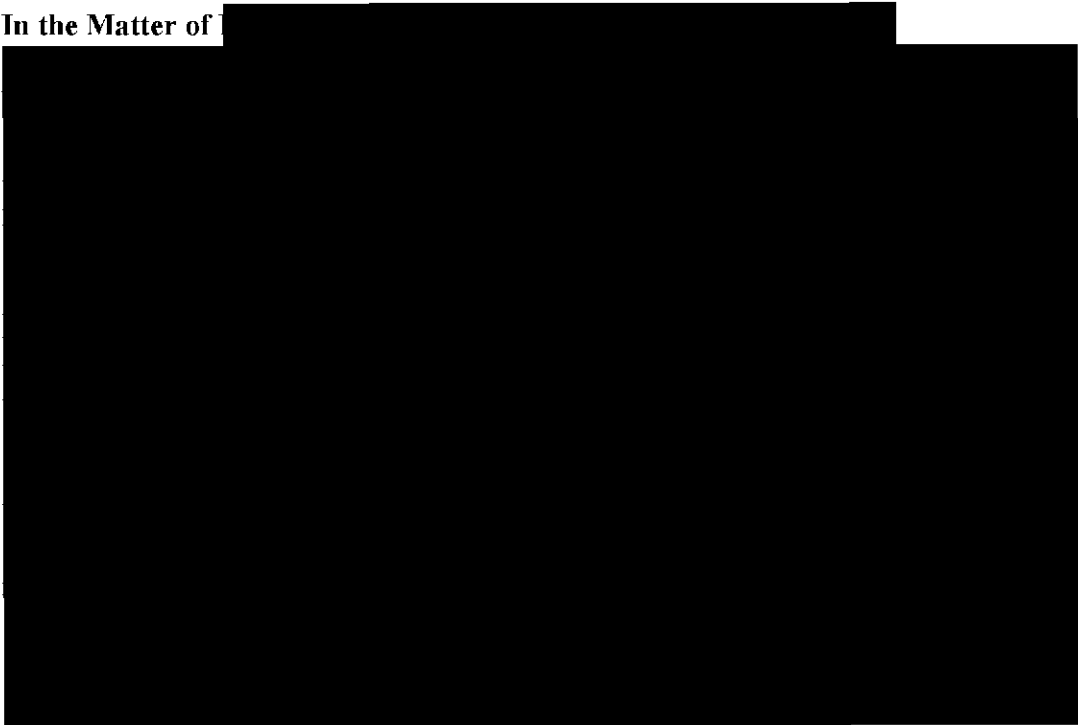
[REDACTED]

K. In the Matter of

[REDACTED]



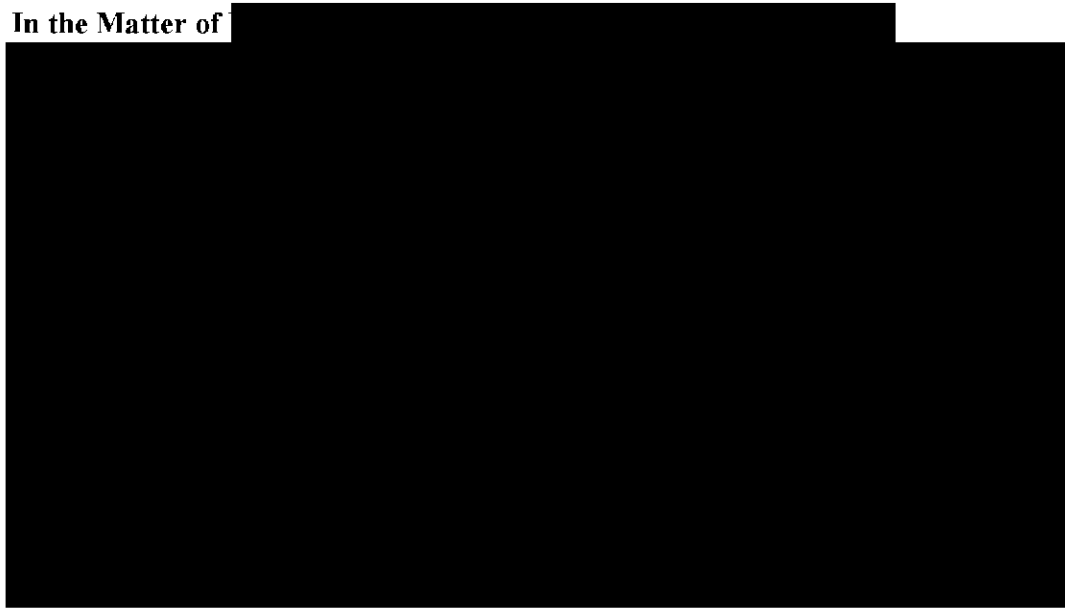
L. In the Matter of



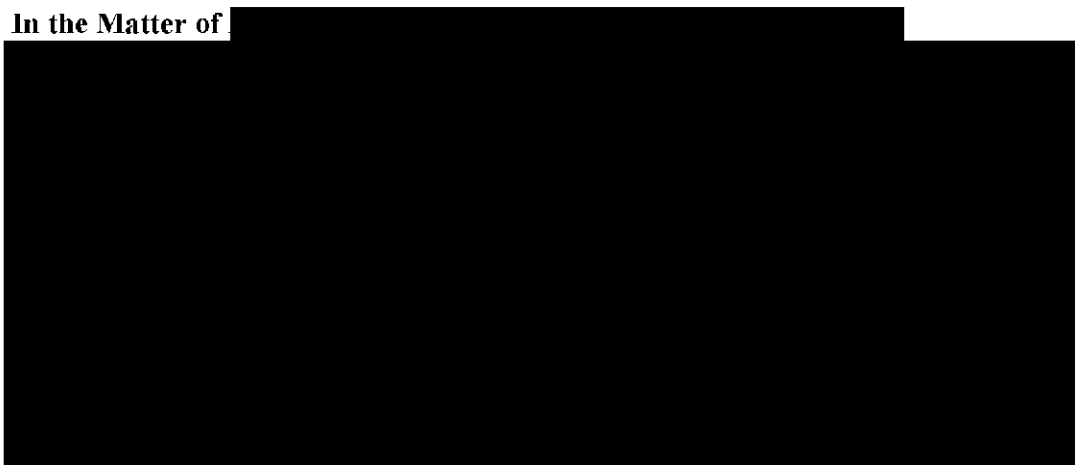
M. In the Matter of



In the Matter of



In the Matter of





III. Other Matters

- [Redacted]
- [Redacted]
- [Redacted]



Next scheduled meeting is Saturday, June 28, 2008 at 9:00 a.m.

Office for Child Abuse Investigations and Review

Review Board

Saturday, June 28, 2008 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Present Via Phone:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board

I. Approval of Minutes

- May 31, 2008 - Minutes approved
- June 3, 2008 – Minutes approved

- [REDACTED]

- [REDACTED]
- [REDACTED]



- [REDACTED] talked about the new format of the packets received by the Review Board members for that meeting's cases; [REDACTED] explained that the effort is being made to standardize case reports to make them easier for the Board members to read
- **9:30am – 10:15am:** attorneys came to the meeting and gave a report

II. Case Reviews

Initial Review

A. In the Matter of Rev. Joseph Fitzharris [Resigned 1995] – PFR - 12

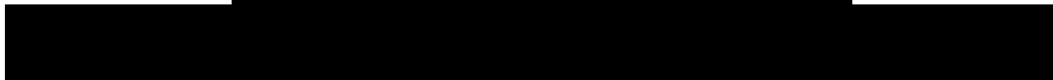
The Review Board conducted an Initial Review of [REDACTED] allegation of the sexual abuse of a minor by the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: Fr. Fitzharris told [REDACTED] to shower before they went to bed at the rectory; while [REDACTED] was in the shower with a glass door, Fr. Fitzharris walked into the bathroom naked to brush his teeth; slept in Fr. Fitzharris' bed together, mutual masturbation orchestrated by Fr. Fitzharris while [REDACTED] was "asleep"; while at a [REDACTED] for the weekend, Fr. Fitzharris had [REDACTED] sleep with him, both only sleeping in underwear; Fr. Fitzharris orchestrated mutual masturbation

Ms. McCluskey was asked to provide the Board with a verbal summary of this matter. When asked by the Board, Ms. McCluskey confirmed that no allegations have surfaced against Fr. Fitzharris concerning taking kids to a farm.

In an 8-0 vote in light of the information presented, the Board determined that this matter warrants additional investigation. The Board asked that the following information be obtained

- Identify the former secretary of St. Francis Xavier from time period of alleged abuse via [REDACTED] sister
- View St. Francis Xavier rectory to determine if the layout is consistent with [REDACTED] recollection
- Ask [REDACTED] for any additional pictures that his mother may have from the trip taken with Fr. Fitzharris, including any pictures that may include the cleric
- Request altar boy list from St. Francis Xavier from time period identified by [REDACTED]
- Determine who the other priests were assigned to St. Francis Xavier during identified time period and speak to any who might have information concerning English and Spanish-speaking servers for different masses

B. In the Matter of [REDACTED]



[Redacted]

[Redacted]

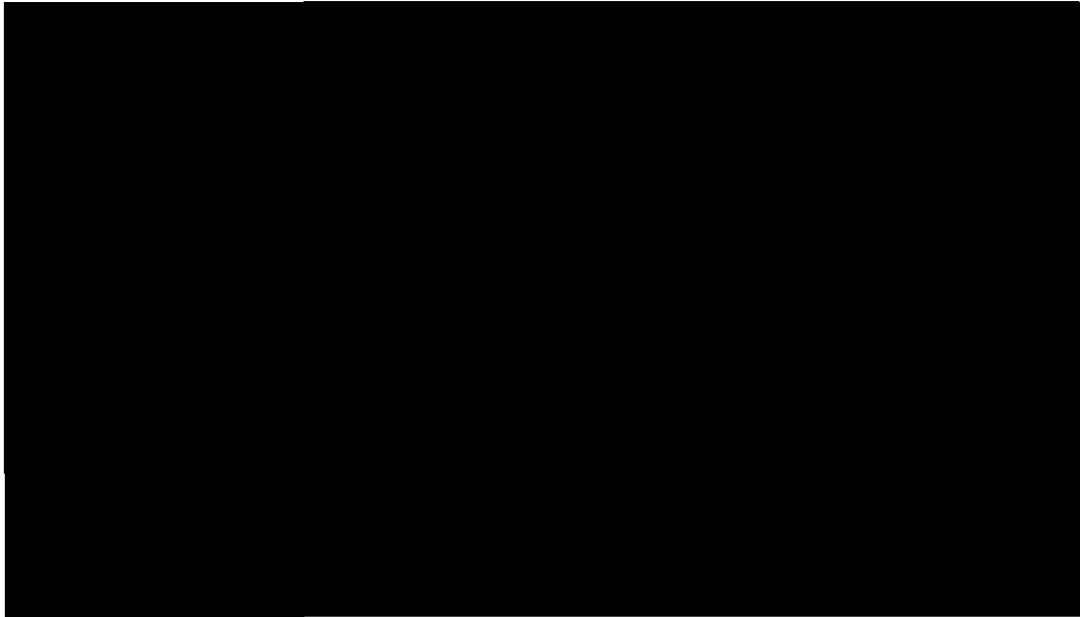
Review for Cause

C. In the Matter of

[Redacted]

D. In the Matter of

[Redacted]

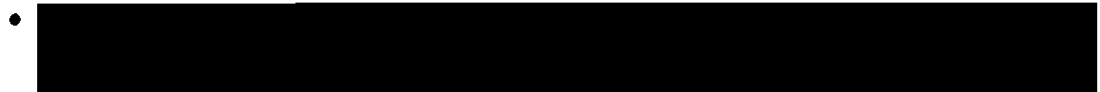


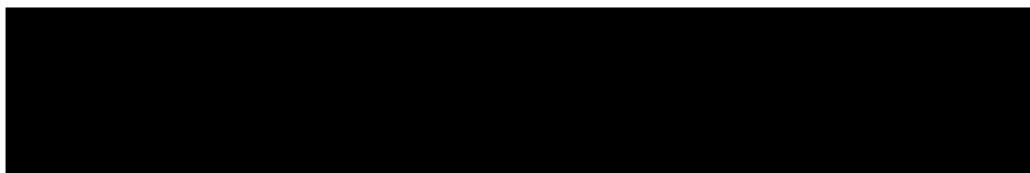
E. In the Matter of



III. Other Matters

- **Deacon Dan Welter** – Deacon Welter was not available to meet with the Board





Next scheduled meeting is Saturday, August 16, 2008 at 9:00 a.m.

Office for Child Abuse Investigations and Review

**Review Board Meeting
Saturday, October 18, 2008 9:00 am to 1:00 pm**

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board

- I. Approval of Minutes**
- August 16, 2008 - Minutes approved
 - September 4, 2008 – Minutes approved

II. Case Reviews
Initial Review

A. In the Matter of

[REDACTED]



Review for Cause

B. In the Matter of Rev. Joseph Fitzharris [Resigned 1994] – PFR – 12

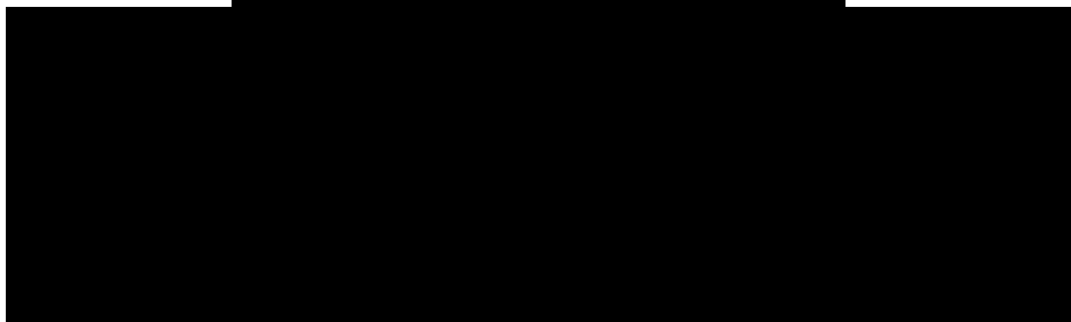
The Review Board conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: Fr. Fitzharris told [REDACTED] to shower before they went to bed at the rectory; while [REDACTED] was in the shower with a glass door, Fr. Fitzharris walked into the bathroom naked to brush his teeth; slept in Fr. Fitzharris' bed together, mutual masturbation orchestrated by Fr. Fitzharris while [REDACTED] was "asleep;" while at a [REDACTED] for the weekend, Fr. Fitzharris had [REDACTED] sleep with him, both only sleeping in underwear; Fr. Fitzharris orchestrated mutual masturbation

Ms. McCluskey provided the Board with a verbal summary of this matter to date, including the findings of the Hillard Heintze investigation [i.e. pictures Mr. Fitzharris provided to the Hillard Heintze investigator].

The Board members advised Ms McCluskey to check the Summary Time Line of allegations against the former Fr Fitzharris for accuracy.

In a 6-0 vote in light of the information presented, the Board determined that there is reason to suspect that the former Fr. Fitzharris did sexually abuse [REDACTED]

C. In the Matter of [REDACTED]



D. In the Matter of



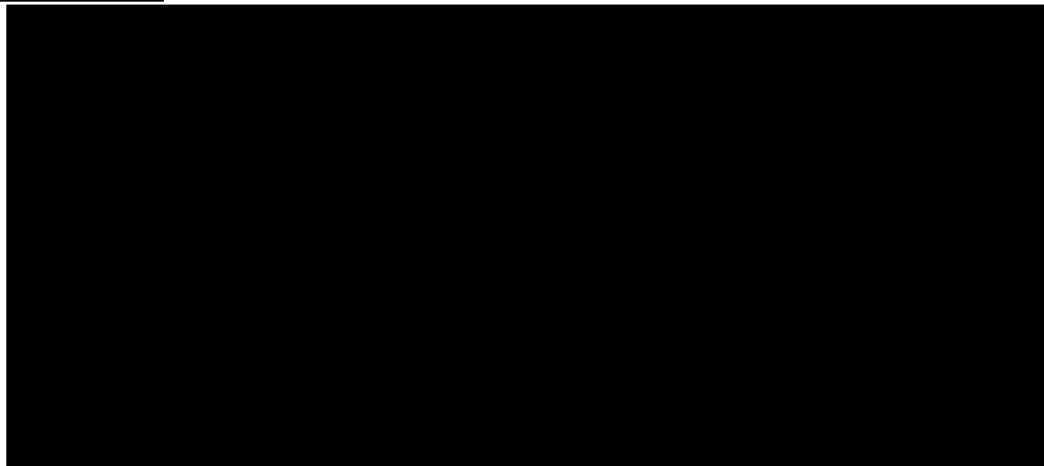
III. Request for Supplementary Review

E. In the Matter of

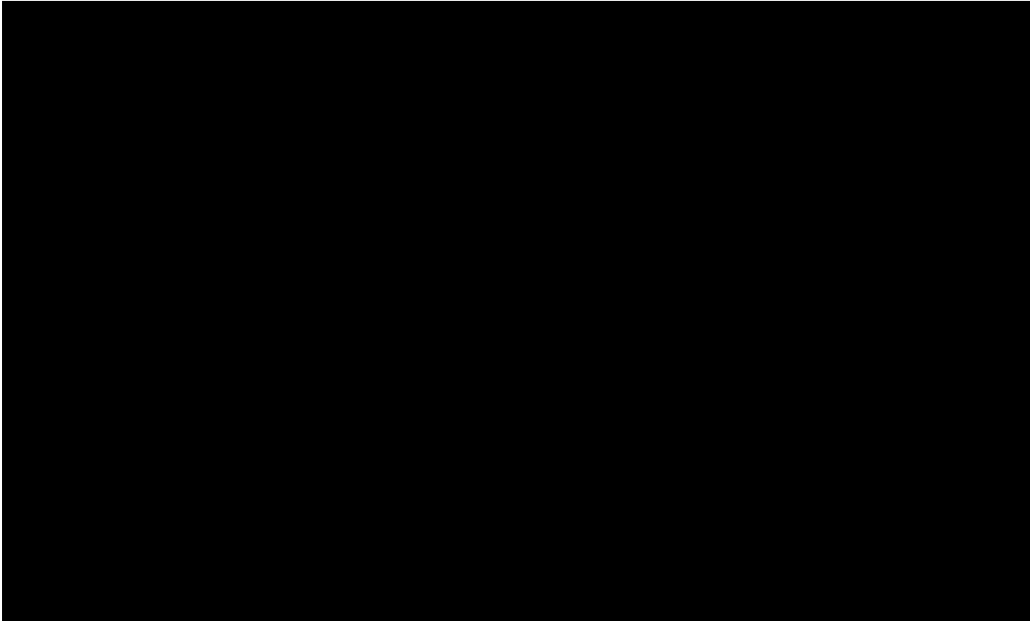


IV. Other Matters

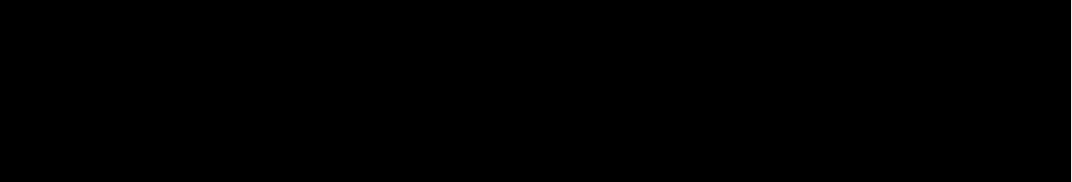
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Other Business



Next scheduled meeting is Saturday, December 6, 2008 at 9:00 a.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, April 18, 2009 from 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board

I. **Approval of Minutes**

- March 21, 2008 – Minutes approved

II. **Case Reviews**

Initial Review

A. **In the Matter of Rev. Joseph Fitzharris (Resigned 1994) – PFR - 12**

The Review Board conducted an Initial Review of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: [REDACTED] stated that Fr. Fitzharris was touching him and his friends "all the time"; one incident where [REDACTED] and [REDACTED] stayed overnight at the rectory and Fr. Fitzharris had [REDACTED] take a shower in his quarters and afterwards, had [REDACTED] lay on his bed naked to apply [REDACTED] to his genitals; Fr. Fitzharris had [REDACTED] and [REDACTED] walk around the locker room at Midtown Tennis Club naked and get into hot tub there naked as well; one occasion Fr. Fitzharris had [REDACTED] on his lap in hot tub and anal penetration with finger; one incident of Fr. Fitzharris kissing [REDACTED] leg while [REDACTED] was wearing shorts; Fr. Fitzharris used to slide his hand up [REDACTED] shorts; 15-20 incidents of Fr. Fitzharris fondling his inner thigh and genitals; after swimming in a pool at the home of a friend of Fr. Fitzharris, [REDACTED] took a shower and Fr. Fitzharris pulled the shower curtain back to watch and then helped him towel off.

Ms. McCluskey provided the Board with a verbal overview of this matter, including a summary of Mr. Fitzharris' response to the allegation.

In an 8-0 vote in light of the information presented, the Board determined that this matter does warrant additional investigation. The Board asked Ms McCluskey to do the following:

- Attempt to determine if [REDACTED] was an altar server at St Francis Xavier
- Attempt to determine what it was that [REDACTED] did [REDACTED]

In the Matter of Rev. Joseph Fitzharris (Resigned 1994) – PFR - 12

The Review Board conducted an Initial Review of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: Fr. Fitzharris fondling [REDACTED] genitals and chest over and under her clothing; [REDACTED] estimated somewhere between 52 and 100 incidents.

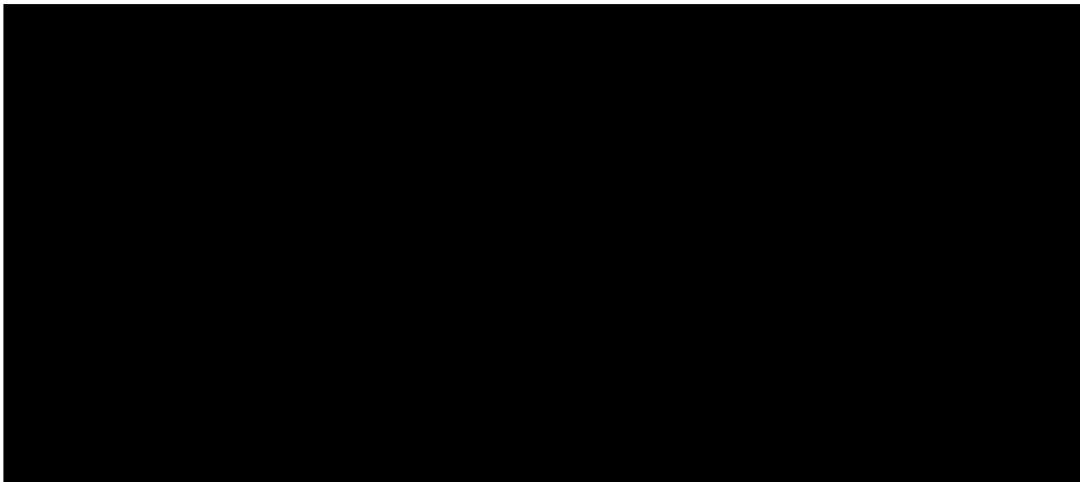
Ms. McCluskey provided the Board with a verbal overview of this matter.

In an 8-0 vote in light of the information presented, the Board determined that this matter does warrant additional investigation. The Board also asked Ms McCluskey to do the following:

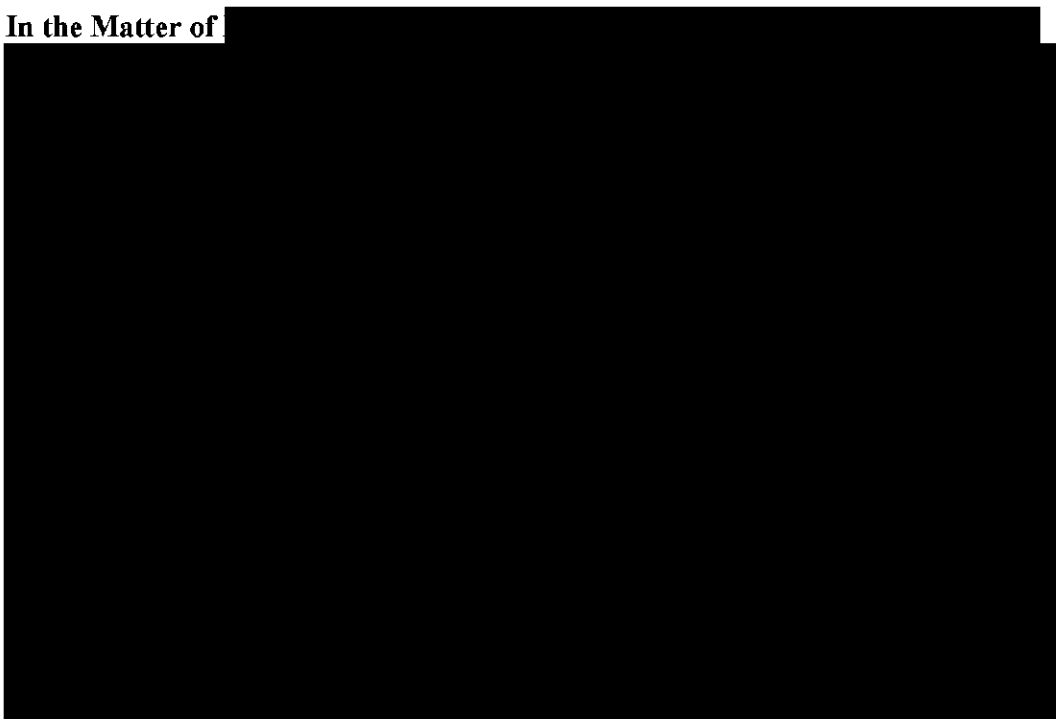
- Ask Hillard Heintze to conduct a background check on [REDACTED]
- Attempt to determine if [REDACTED] her siblings, and their mother worked at St. Francis Xavier

B. In the Matter of [REDACTED]

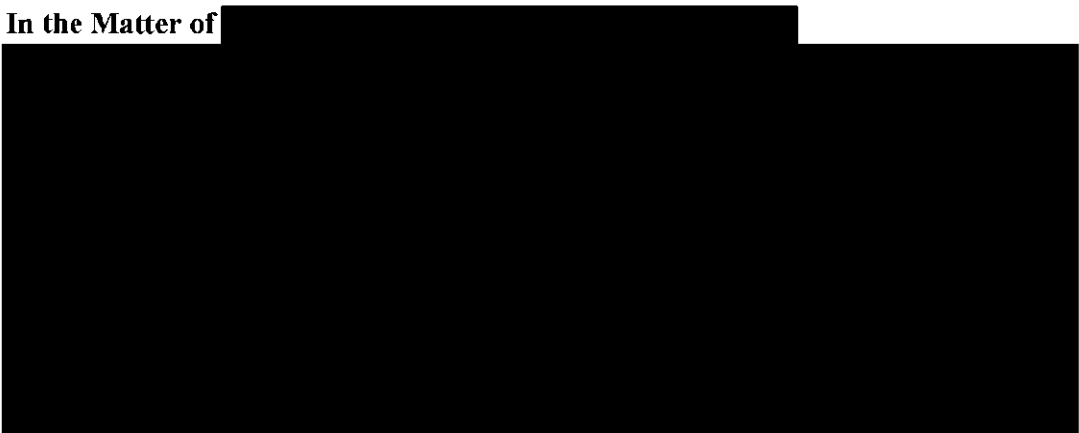
C. In the Matter of [REDACTED]

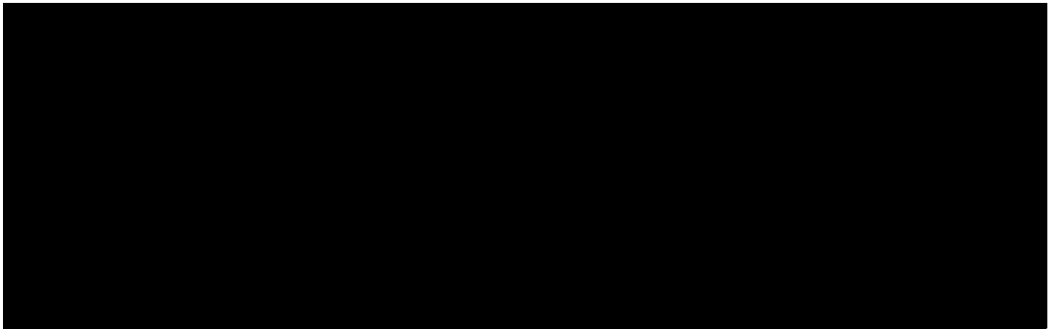


D. In the Matter of



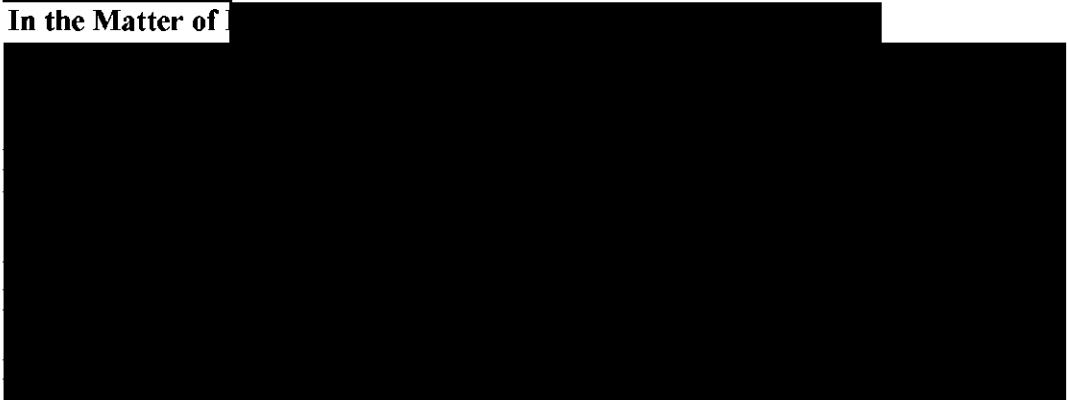
In the Matter of





Review for Cause

E. In the Matter of



[Redacted]

F. In the Matter of

[Redacted]

G. In the Matter of

[Redacted]

H. In the Matter of

[Redacted]

III. Other Matters

- **Conducting interviews:** The Review Board was asked for its reactions/suggestions to audio taping interviews of accusers and accused. It was agreed that due to time constraints, the discussion of this matter would continue at the scheduled May 16, 2009 Review Board meeting.
- **Review of functions of the Review Board:** It was agreed that due to time constraints, the discussion of this matter would continue at the scheduled May 16, 2009 Review Board meeting.
- **Suggestions from Review Board members on future educational presentations for the Board:** Discussion of a possible retreat for the Review Board later in the year.

Next scheduled meeting is Saturday, May 16, 2009 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, May 15, 2010 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:



Review Board Members Not Present:



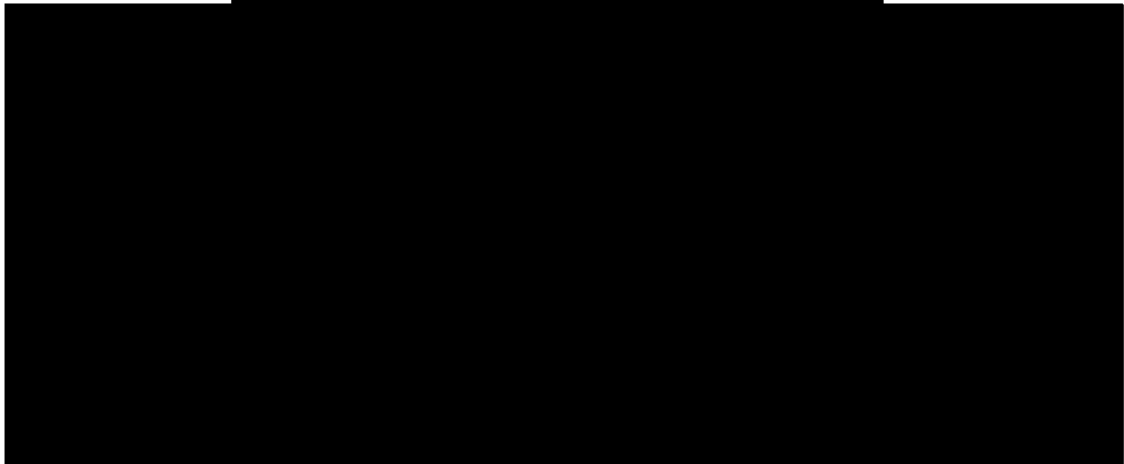
Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board

-
- I. **Approval of Minutes** – April 17, 2010 and April 27, 2010
 - Minutes approved

- II. **Case Reviews**
Initial Review

- A. **In the Matter of**



Review for Cause

B. In the Matter of Rev. Joseph Fitzharris (Laicized 2009) – PFR- 12

The Review Board conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: [REDACTED] stated that Fr. Fitzharris fondled his genital area over and under his clothing while [REDACTED] was on Fr. Fitzharris' lap and when Fr. Fitzharris would have the two sleep together in the same bed. [REDACTED] spoke of Fr. Fitzharris "cuddling" with him while sleeping in the same bed and "camping out" on the floor. [REDACTED] estimated that there were between 50 and 100 incidents of alleged sexual abuse.

Ms. McCluskey provided the Review Board with a verbal overview and update of the investigation of this matter.

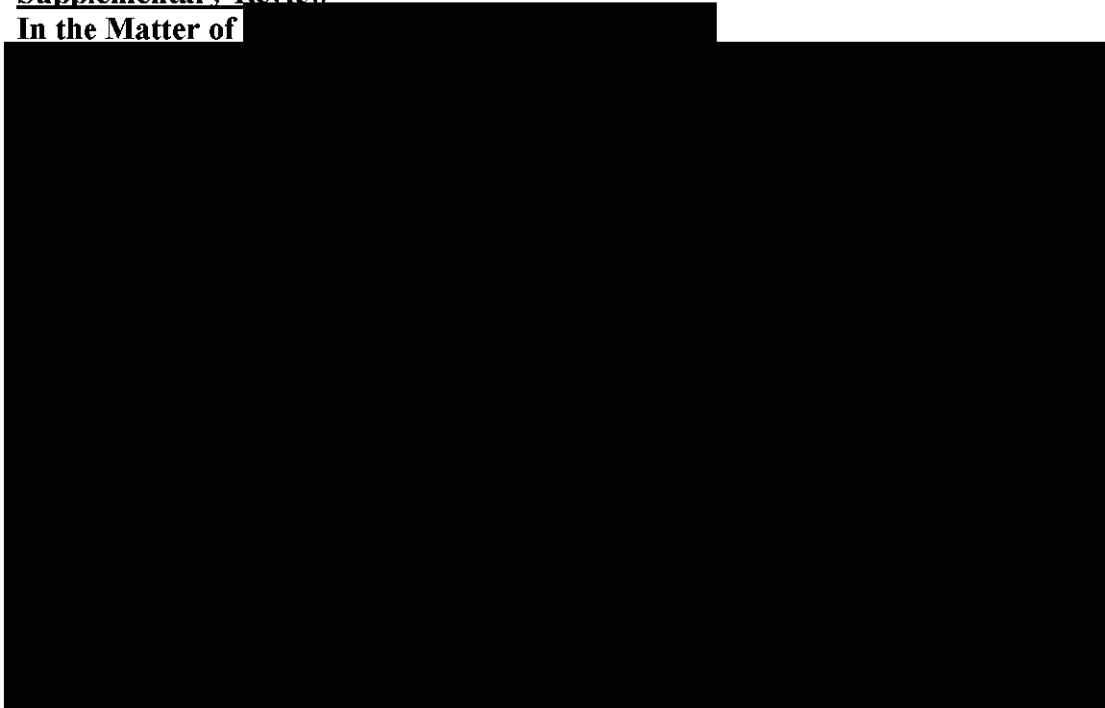
In light of the information presented, the Board determined that there is there is reason to suspect that Fr. Fitzharris sexually abused [REDACTED] when he was a minor.

C. In the Matter of [REDACTED]

D. In the Matter of [REDACTED]

III. Supplementary Review

E. In the Matter of



IV. Other Matters



Next scheduled meeting is Saturday, June 19, 2010 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago Illinois 60690-1979
312-534-5254, general
312-751-8307 fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, June 19, 2010 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Present via Phone:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev Jeffrey Grob, Cardinal's Delegate to the Review Board

-
- I. **Approval of Minutes** – May 15, 2010
 - Minutes approved

- II. **Case Reviews**
Initial Review

- A. **In the Matter of Rev. Joseph Fitzharris (Laicized 2009) - PFR- 12**

The Review Board conducted an Initial Review of [REDACTED] allegation of the sexual abuse of a minor against the former Rev Joseph Fitzharris. A summary of the allegation is as follows. [REDACTED] alleges that Fr Fitzharris sexually abused him approximately one time per week for two years, alleged abuse took place in Fr Fitzharris' room in the rectory where Fr Fitzharris fondled [REDACTED] under his clothing and performed oral sex on him while both were naked, Fr Fitzharris forced [REDACTED] to perform oral sex on him and attempted to penetrate him anally, [REDACTED] stated that Fr Fitzharris [REDACTED] kissed him before each incident of sexual abuse.

Ms McCluskey provided the Review Board with a verbal overview and update of the investigation of this matter.

Review Board Minutes
June 19, 2010
Page 1 of 3

AOC 002304

In light of the information presented, the Board determined that this matter warrants additional investigation.

Review for Cause

B. In the Matter of

[REDACTED]

C. In the Matter of

[REDACTED]

D. In the Matter of

[REDACTED]

[Redacted]

Supplementary Review

E. In the Matter of [Redacted]

[Redacted]

III. Other Matters

➤ [Redacted]
➤ [Redacted]
➤ [Redacted]

Next scheduled meeting is Saturday, July 17, 2010 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, February 20, 2010 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board

-
- I. **Approval of Minutes** – November 21, 2009
- Minutes approved

II. **Case Reviews**
Initial Review

A. **In the Matter of Rev. Joseph Fitzharris (Laicized 2009) - PFR- 12**

The Review Board conducted an Initial Review of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: [REDACTED] stated that Fr. Fitzharris fondled his genital area over and under his clothing while [REDACTED] was on Fr. Fitzharris' lap and when Fr. Fitzharris would have the two sleep together in the same bed. [REDACTED] spoke of Fr. Fitzharris "cuddling" with him while sleeping in the same bed and "camping out" on the floor [REDACTED] estimated that there were between 50 and 100 incidents of alleged sexual abuse.

Ms. McCluskey provided the Review Board with a verbal overview and update of the investigation of this matter.

In light of the information presented, the Board determined that this matter warrants additional investigation. The Board asked for the following to be done as the investigation of this matter continues:

- Ask [REDACTED] attorneys who generated the letter from [REDACTED] concerning his alleged abuse by Fr. Fitzharris (attached to report of allegation)
- Ask [REDACTED] for the approximate years when the alleged abuse took place
- Ask [REDACTED] for the approximate years when Fr. Fitzharris took him to the homes of his (Fr. Fitzharris') family members
- Ask [REDACTED] for a general clarification of dates pertaining to his allegation

B. In the Matter of [REDACTED]

[REDACTED]

C. In the Matter of [REDACTED]

[REDACTED]

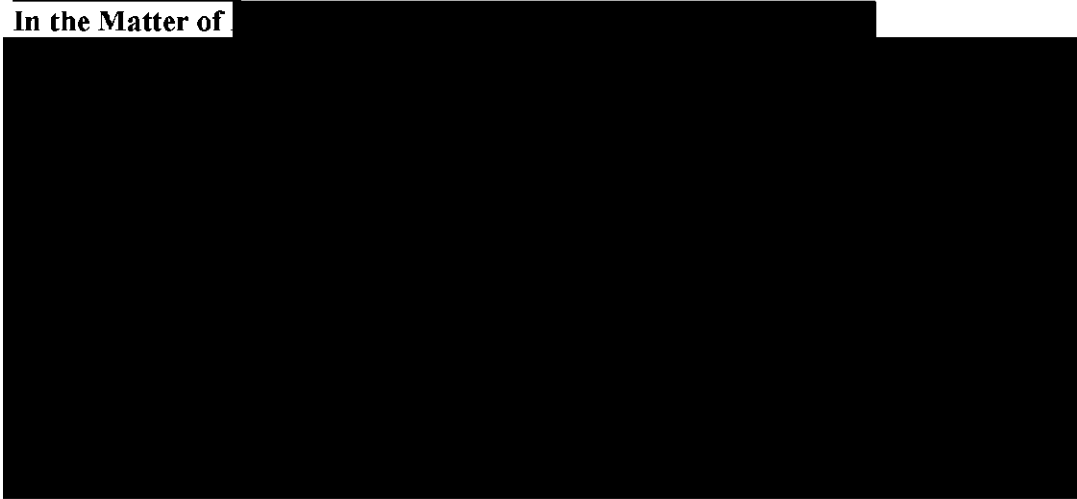
D. In the Matter of [REDACTED]

[REDACTED]

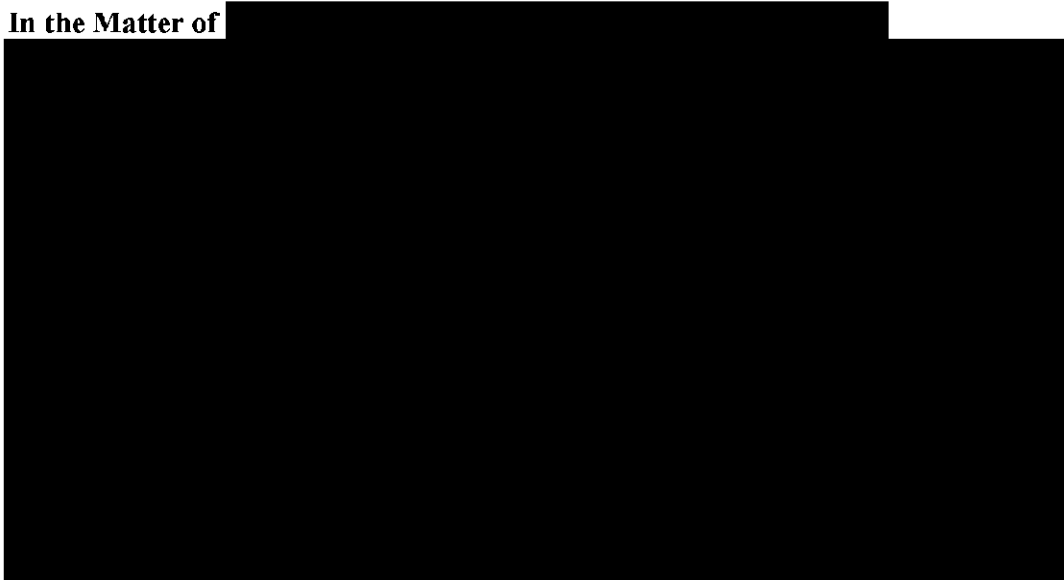


Review for Cause

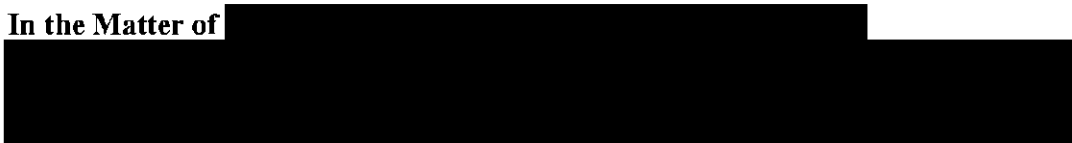
E. In the Matter of

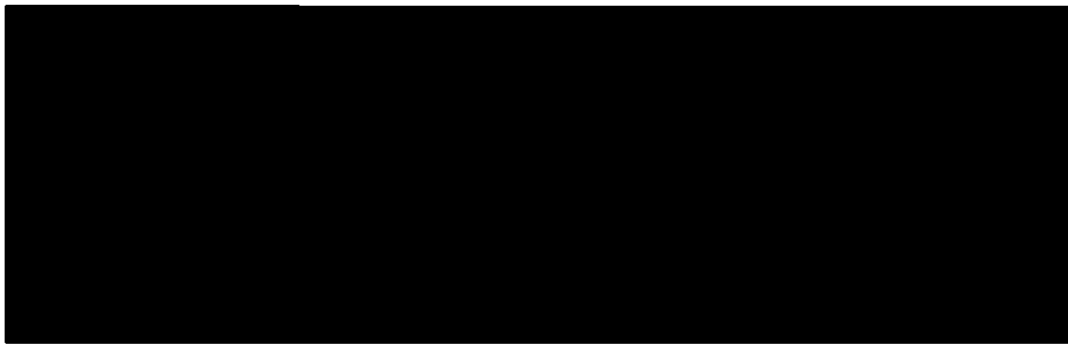


F. In the Matter of



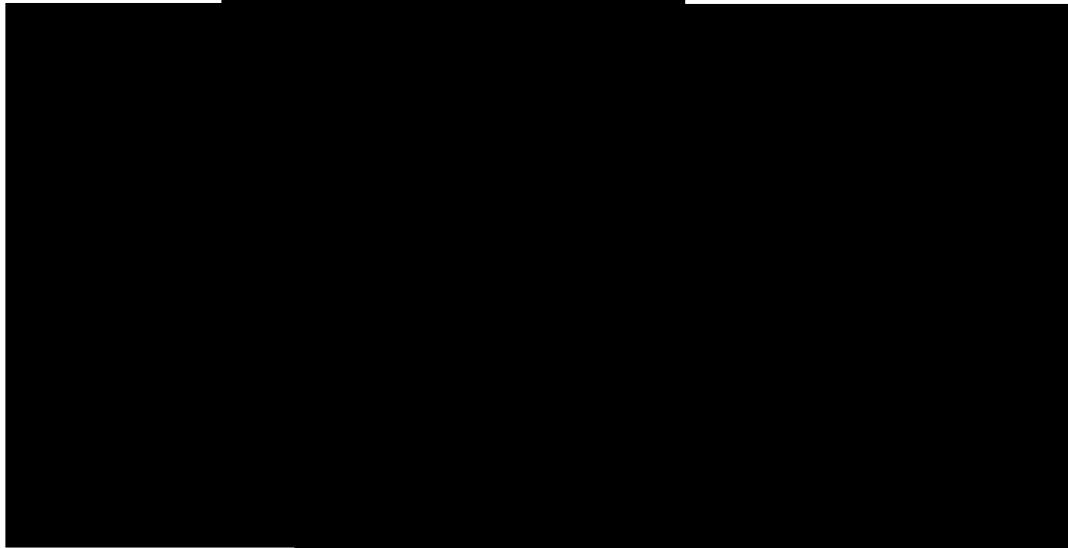
G. In the Matter of



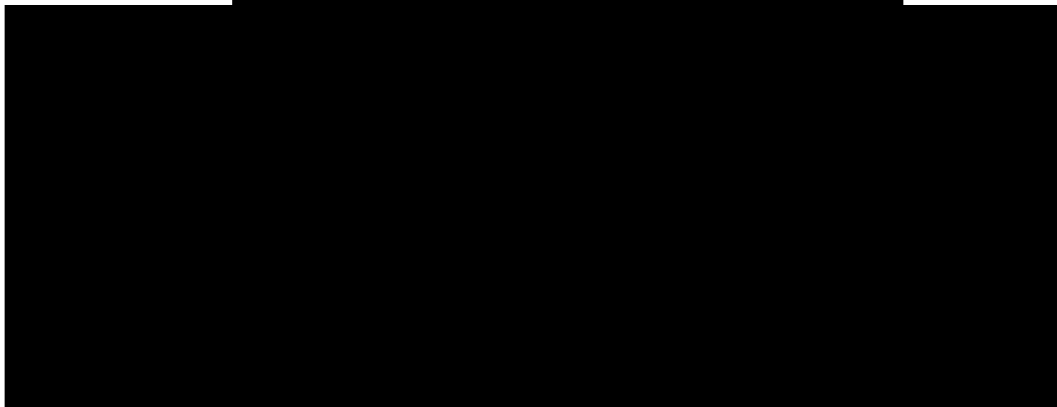


III. Request for Supplementary Review

H. In the Matter of



I. In the Matter of



IV. Other Matters

[REDACTED]

In the Matter of

[REDACTED]

➤

[REDACTED]

Next tentatively scheduled meeting is Saturday, March 20, 2010 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review
Review Board Meeting
Saturday, April 17, 2010 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board

-
- I. **Approval of Minutes** – February 20, 2010 and March 15, 2010
- Minutes approved

II. **Case Reviews**
Initial Review

A. **In the Matter of**

[REDACTED]

[REDACTED]

B. In the Matter of [REDACTED]

[REDACTED]

Review for Cause

C. In the Matter of Rev. Joseph Fitzharris (Laicized 2009) – PFR- 12

The Review Board was to conduct a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor against the former Rev Joseph Fitzharris. A summary of the allegation is as follows [REDACTED] stated that Fr Fitzharris fondled his genital area over and under his clothing while [REDACTED] was on Fr Fitzharris' lap and when Fr Fitzharris would have the two sleep together in the same bed [REDACTED] spoke of Fr Fitzharris "cuddling" with him while sleeping in the same bed and "camping out" on the floor [REDACTED] estimated that there were between 50 and 100 incidents of alleged sexual abuse.

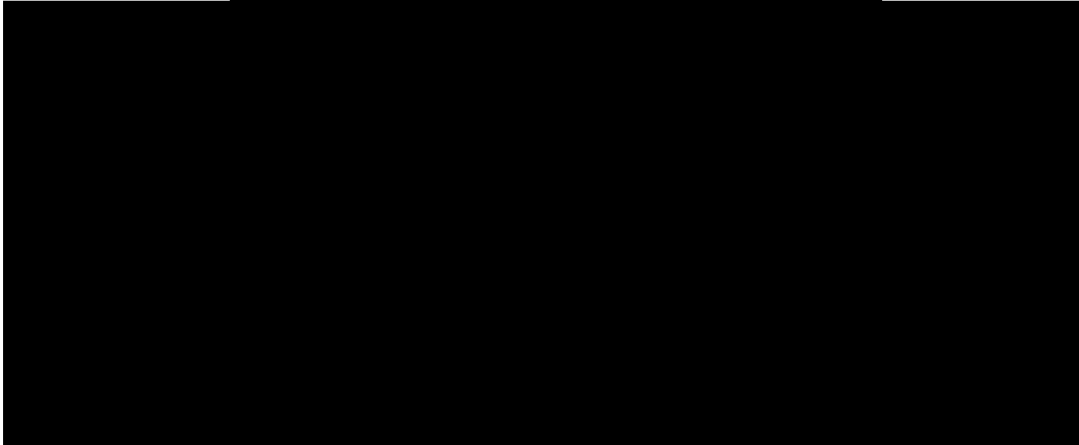
Ms McCluskey provided the Review Board with a verbal overview and update of the investigation of this matter.

The Review Board agreed to hold this matter for one month on the basis of the past request made by the Board to [REDACTED] attorney for additional/clarification information. The attorney has yet to respond to Ms McCluskey's request for the additional/clarification information. The Board directed Ms McCluskey to repeat its request for the information to [REDACTED] attorney.

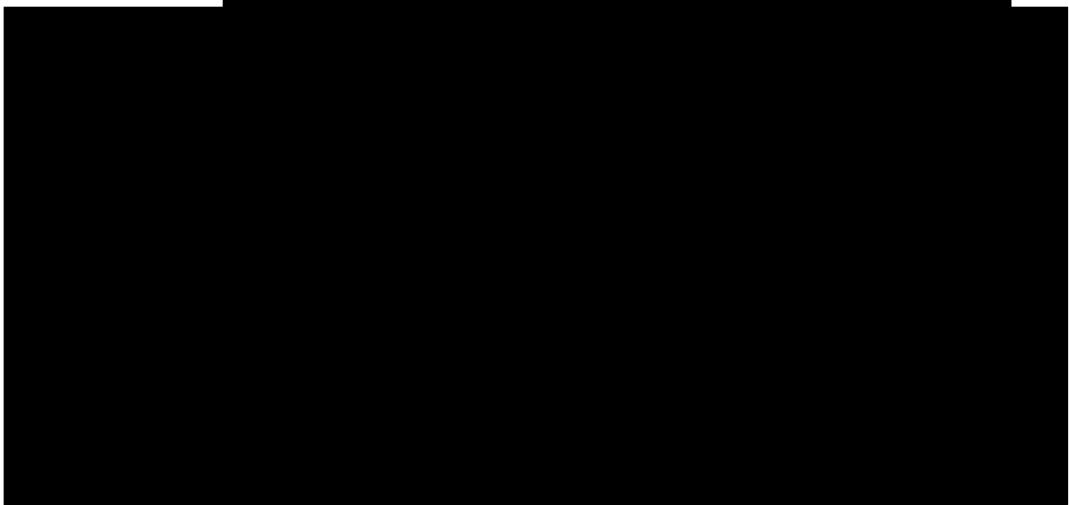
D. In the Matter of [REDACTED]

[REDACTED]

E. In the Matter of

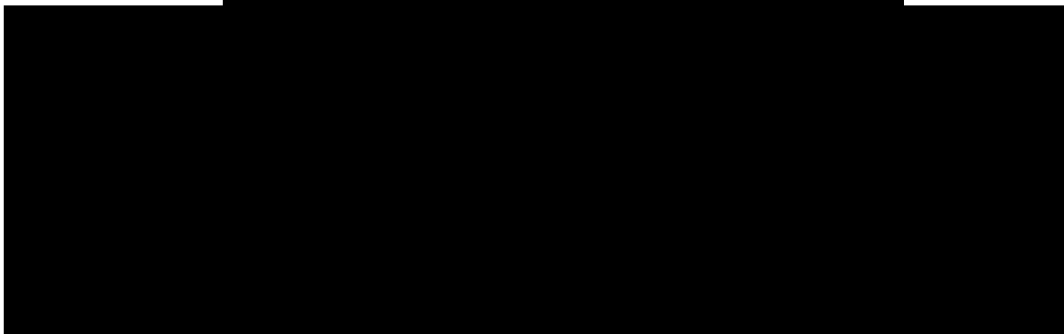


F. In the Matter of



III. Supplementary Review

G. In the Matter of



IV. Other Matters

➤ [Redacted]

➤ [Redacted]

➤ [Redacted]

➤ [Redacted]

Next scheduled meeting is Saturday, May 15, 2010 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review
Review Board Meeting
Saturday, July 17, 2010 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:



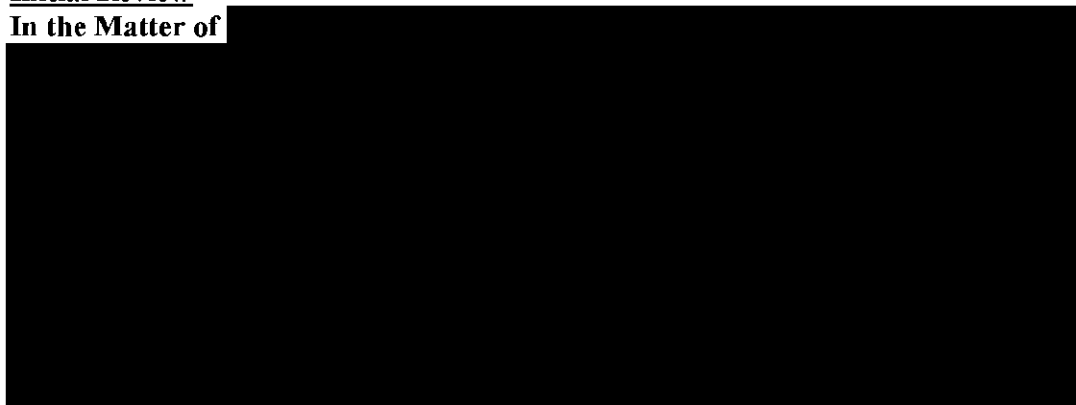
Non-members Present:

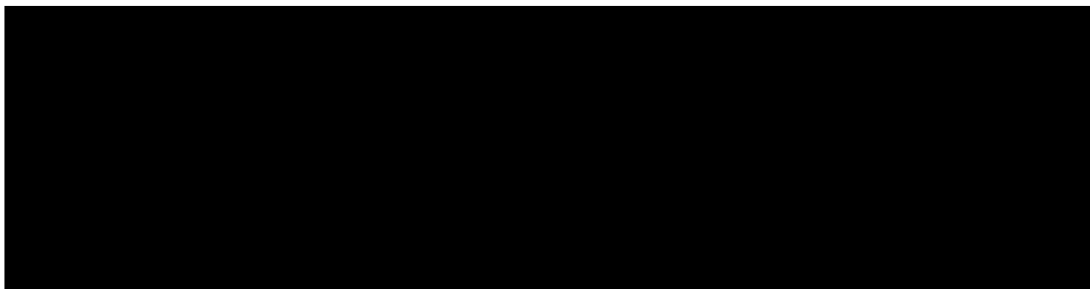
Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board

-
-
- I. **Approval of Minutes** – June 19, 2010
- Minutes approved

II. **Case Reviews**
Initial Review

A. **In the Matter of**





Review for Cause

B. In the Matter of



C. In the Matter of Rev. Joseph Fitzharris (Laicized 2009) – PFR- 12

The Review Board conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor against the former Fr Fitzharris. A summary of the allegation is as follows: [REDACTED] alleges that Fr Fitzharris sexually abused him approximately one time per week for two years, alleged abuse took place in Fr Fitzharris' room in the rectory where Fr Fitzharris fondled [REDACTED] under his clothing and performed oral sex on him while both were naked, Fr Fitzharris forced [REDACTED] to perform oral sex on him and attempted to penetrate him anally, [REDACTED] stated that Fr Fitzharris [REDACTED] kissed him before each incident of sexual abuse.

Ms McCluskey provided the Review Board with a verbal overview and update of the investigation of this matter.

In light of the information presented, the Board determined that there is reason to suspect that the former Fr Fitzharris sexually abused [REDACTED] when he was a minor.

D. In the Matter of



III.

Other Matters

- Francis Cardinal George, O M I met with the Review Board
- Jen Hibben, Assistant to the Director of the Office for Child Abuse Investigations and Review, met with the Review Board
- Matt Hunnicutt, Director of the Office of Assistance Ministry, met with the Review Board

Next scheduled meeting is Saturday, August 21, 2010 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago Illinois 60690-1979
312-534-5254, general
312-751-8307 fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, November 17, 2012 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Absent:

[REDACTED]

Non-members Present:

Rev Jeffrey Grob, Cardinal's Delegate to the Review Board
Leah McCluskey, Director, Office for Child Abuse Investigations and Review

-
-
- I. Approval of Minutes – September 15, 2012
 - Minutes approved

- II. Initial Review

- A. In the Matter of

[REDACTED]

Review Board Minutes
November 17, 2012
Page 1 of 3

III. Supplementary Review

B. In the Matter of Joseph Fitzharris (Laicized, 2009) – PFR – 012

The Review Board conducted a Supplementary Review of the matter of [REDACTED] [REDACTED] allegation of the sexual abuse of a minor against Joseph Fitzharris. A summary of the allegation is as follows: touching and kissing, Fitzharris and [REDACTED] [REDACTED] disrobed, sexual touching under clothes of victim, abuse allegedly occurred [REDACTED] in rectory with Fitzharris.

Ms. McCluskey provided the Review Board with a verbal overview and update of this matter.

The Review Board determined that there is insufficient reason to suspect that the accused sexually abused [REDACTED] when he was a minor.

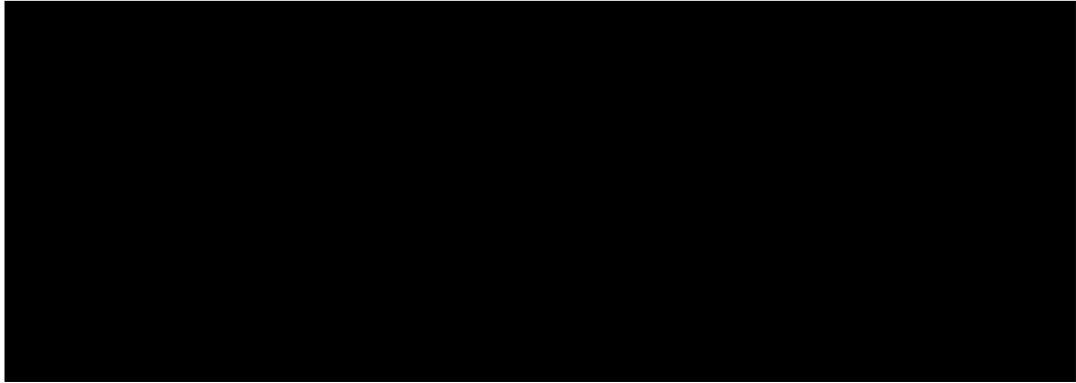
IV. Other Matters

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review
Review Board Meeting
Saturday, July 21, 2012 from 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Absent:

[REDACTED]

Non-members Present:

Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board
Leah McCluskey, Director, Office for Child Abuse Investigations and Review

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-
- I. Approval of Minutes – March 17, 2012 and July 2, 2012
- March 17, 2012 – approved
 - July 2, 2012 – approved

II. **Initial Review**

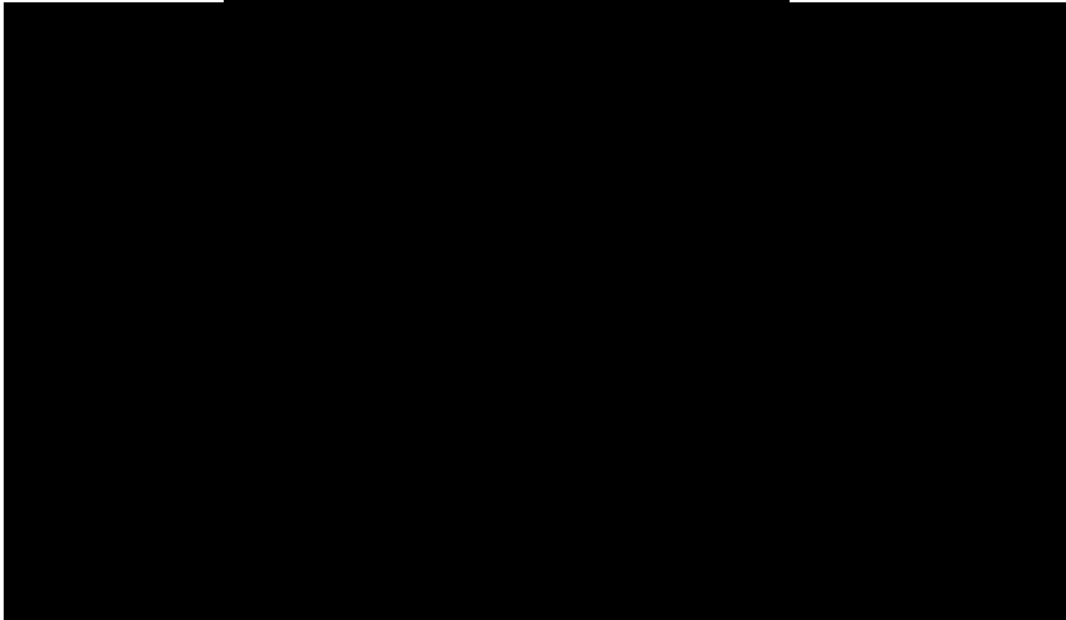
A. **In the Matter of**

[REDACTED]

Review Board Minutes
July 21, 2012
Page 1 of 3



B. In the Matter of



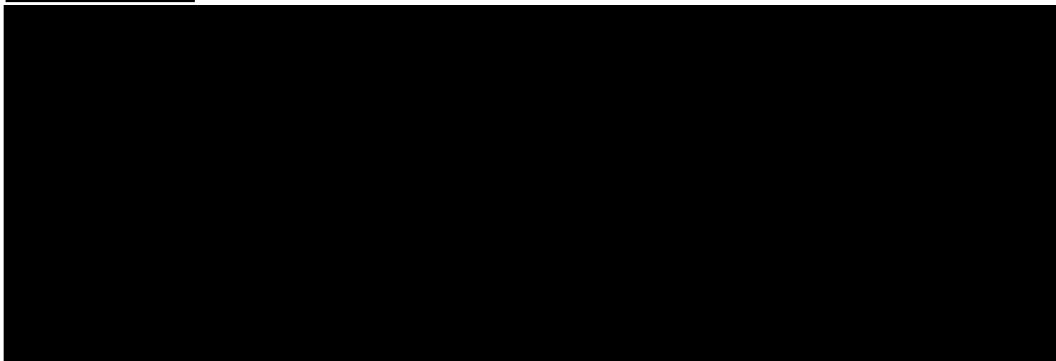
III. Request for Supplementary Review

C. In the Matter of Joseph Fitzharris (Laicized, 2009) – PFR – 012

The Review Board was presented with civil attorney [REDACTED]'s request for a Supplementary Review of the matter of [REDACTED] allegation of the sexual abuse of a minor against Joseph Fitzharris. A summary of the allegation is as follows: touching and kissing, Fitzharris and [REDACTED] disrobed, sexual touching under clothes of victim, abuse allegedly occurred [REDACTED] in rectory with Fitzharris.

The Review Board made the determination to conduct a Supplementary Review of this matter.

IV. Other Matters





ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, September 15, 2012 from 8:30 a.m. to 10:00 a.m.

MINUTES

Review Board Members Present:



Review Board Members Absent:

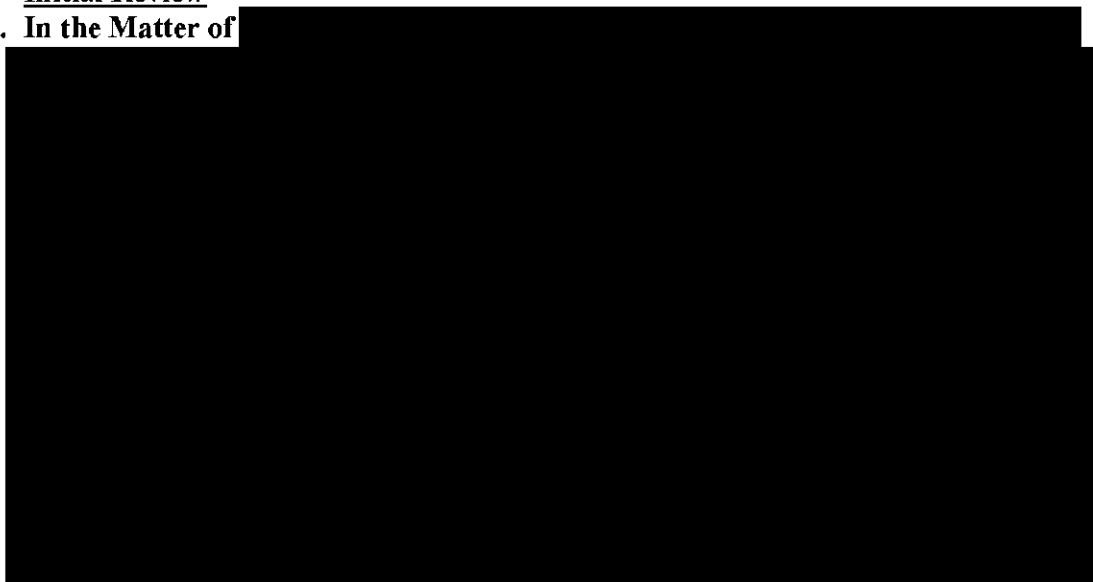


Non-members Present:

Rev. Jeffrey Grob, Cardinal's Delegate to the Review Board
Leah McCluskey, Director, Office for Child Abuse Investigations and Review

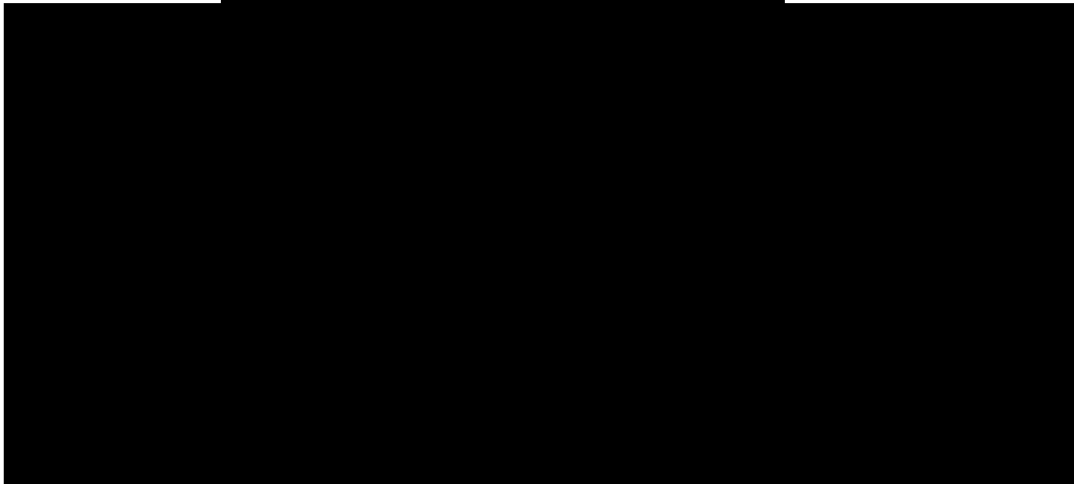
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-
- I. Approval of Minutes – July 21, 2012
 - Minutes approved

- II. **Initial Review**
 - A. **In the Matter of**



III. Review for Cause

B. In the Matter of



IV. Supplementary Review

C. In the Matter of Joseph Fitzharris (Laicized, 2009) – PFR – 012

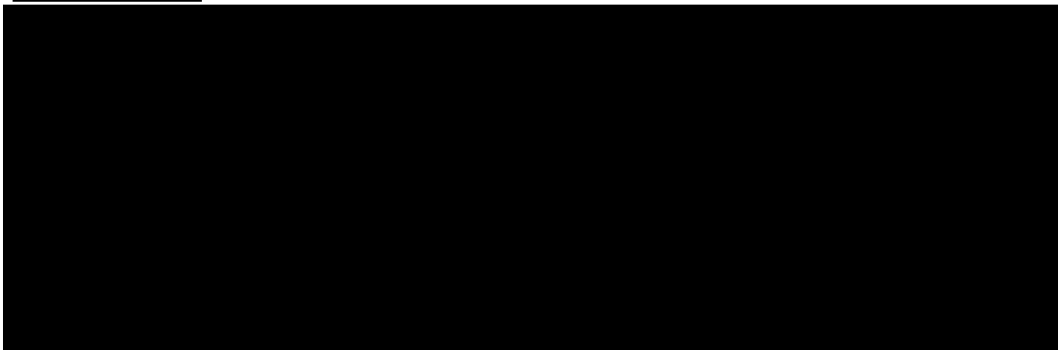
The Review Board was presented with civil attorney [REDACTED]'s request for a Supplementary Review of the matter of [REDACTED] allegation of the sexual abuse of a minor against Joseph Fitzharris. A summary of the allegation is as follows: touching and kissing, Fitzharris and [REDACTED] disrobed, sexual touching under clothes of victim, abuse allegedly occurred [REDACTED] in rectory with Fitzharris.

Ms. McCluskey provided the Review Board with a verbal overview and update of this matter.

The Review Board agreed to continue this matter to the next scheduled meeting of the Independent Review Board.

The Board directed Ms. McCluskey to contact the Vicar for Priests to ask if Mr. Fitzharris would be willing to schedule a time to again be presented with [REDACTED] allegation against him.

V. Other Matters





ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P O Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, July 18, 2009 from 9:00 am to 1:00 pm

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Participating Via Phone:

[REDACTED]

Review Board Members Not Present:

[REDACTED]

Non-members Present:

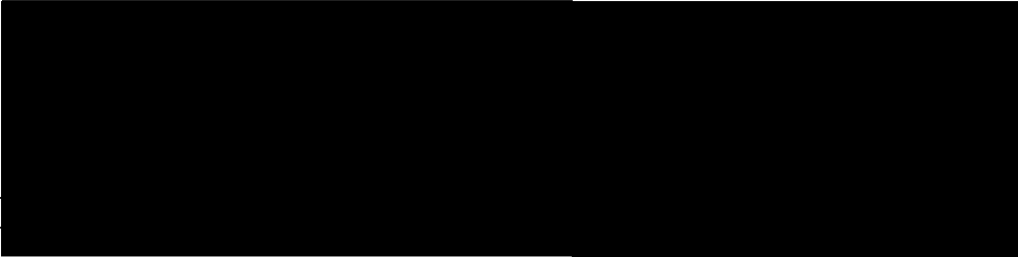
Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board

- I. **Approval of Minutes**
 - May 16, 2009 – Minutes approved
 - June 5, 2009 – Minutes approved

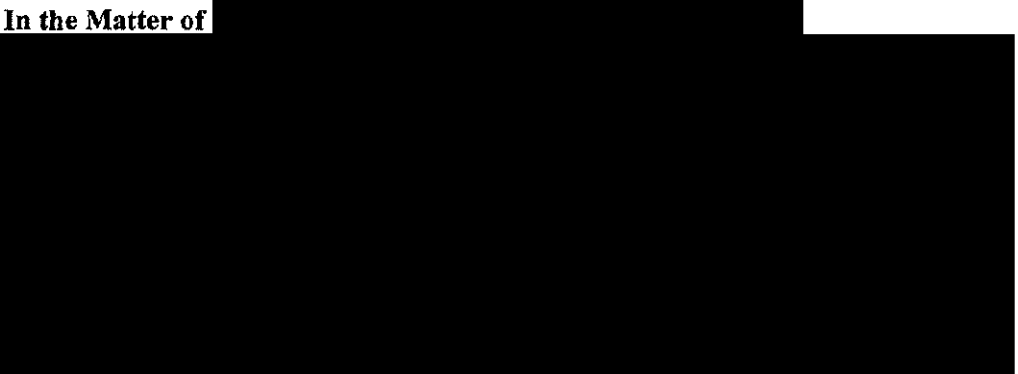
- II. **Case Reviews**
 - Initial Review**

- A. **In the Matter of**

[REDACTED]



B. In the Matter of



Review for Cause

C. In the Matter of Rev. Joseph Fitzharris (Laicized 2009) - PFR- 12

The Review Board was to conduct a Review for Cause of [redacted] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: [redacted] and [redacted] stayed overnight at the rectory and Fr. Fitzharris had [redacted] take a shower in his quarters and afterwards, had [redacted] lay on his bed naked to apply [redacted] to his genitals; Fr. Fitzharris had [redacted] and [redacted] walk around the locker room at Midtown Tennis Club naked and get into the club's hot tub; Fr. Fitzharris digitally penetrated [redacted] 15-20 incidents of Fr. Fitzharris fondling [redacted] inner thigh and genitals; Fr. Fitzharris toweled [redacted] off after showering.

Ms. McCluskey provided the Review Board with a verbal overview of this matter.

The Board members agreed to have Ms. McCluskey request that civil attorney [redacted] have a copy of the draft report of [redacted] allegation against Fr. Fitzharris sent to [redacted] for his review and signature. [redacted] is currently [redacted] and is being represented by [redacted]. The Board agreed to continue to Review for Cause of this matter to the scheduled August 15, 2009 meeting.

In the Matter of Rev. Joseph Fitzharris (Laicized 2009) - PFR- 12

The Review Board conducted a Review for Cause of [redacted] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: fondling genitals and chest over and under clothing; estimated somewhere between 52 and 100 incidents.

Ms. McCluskey provided the Review Board with a verbal overview of this matter.

In a 7-0 vote in light of the information presented, the Board determined that there is reason to suspect that the former Fr. Fitzharris did sexually abuse [REDACTED] when she was a minor.

D. In the Matter of [REDACTED]

[REDACTED]

E. In the Matter of [REDACTED]

[REDACTED]

F. In the Matter of [REDACTED]

[REDACTED]

[Redacted]

G. In the Matter of

[Redacted]

[Redacted]

H. In the Matter of

[Redacted]

[Redacted]

III. Request for Supplementary Review

I. In the Matter of

[Redacted]

In the Matter of

[Redacted]

J. In the Matter of

[Redacted]



IV. Other Matters

- **Conducting interviews:** not enough time to discuss; continued to next Review Board meeting scheduled for August 15, 2009
- **Continued discussion of deceased priest cases:** not enough time to discuss; continued to next Review Board meeting scheduled for August 15, 2009
- **Discussion of question of increasing number of Review Board members:** suggestions discussed included having a “member at large” and/or increasing Board membership from nine to 10 members; due to time constraints, agreed that the discussion of this matter would be continued to the next Review Board meeting scheduled for August 15, 2009

Next scheduled meeting is Saturday, August 15, 2009 from 9:00 a.m. to 1:00 p.m.

ARCHDIOCESE OF CHICAGO

Office for the Protection of Children and Youth
Office of Assistance Ministry
Office for Child Abuse Investigations and Review
Safe Environment Office



P. O. Box 1979
Chicago, Illinois 60690-1979
312-534-5254, general
312-751-8307, fax

Office for Child Abuse Investigations and Review

Review Board Meeting
Saturday, August 15, 2009 from 9:00 am to 12:00 pm

MINUTES

Review Board Members Present:

[REDACTED]

Review Board Members Participating Via Phone:

[REDACTED]

Non-members Present:

Leah McCluskey, Director, Office for Child Abuse Investigations and Review
Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board

(P)

I. Approval of Minutes

- July 18, 2009 – Minutes approved

II. Case Reviews

Initial Review

A. In the Matter of

[REDACTED]

Review for Cause

B. In the Matter of Rev. Joseph Fitzharris (Laicized 2009) - PFR- 12

The Review Board conducted a Review for Cause of [REDACTED] allegation of the sexual abuse of a minor against the former Rev. Joseph Fitzharris. A summary of the allegation is as follows: [REDACTED] and [REDACTED] stayed overnight at the

Review Board Minutes
August 15, 2009
Page 1 of 5

rectory and Fr. Fitzharris had [REDACTED] take a shower in his quarters and afterwards, had [REDACTED] lay on his bed naked to apply [REDACTED] to his genitals; Fr. Fitzharris had [REDACTED] and [REDACTED] walk around the locker room at Midtown Tennis Club naked and get into the club's hot tub; Fr. Fitzharris digitally penetrated [REDACTED] 15-20 incidents of Fr. Fitzharris fondling [REDACTED] inner thigh and genitals; Fr. Fitzharris toweled [REDACTED] off after showering.

Ms. McCluskey provided the Review Board with a verbal overview of this matter.

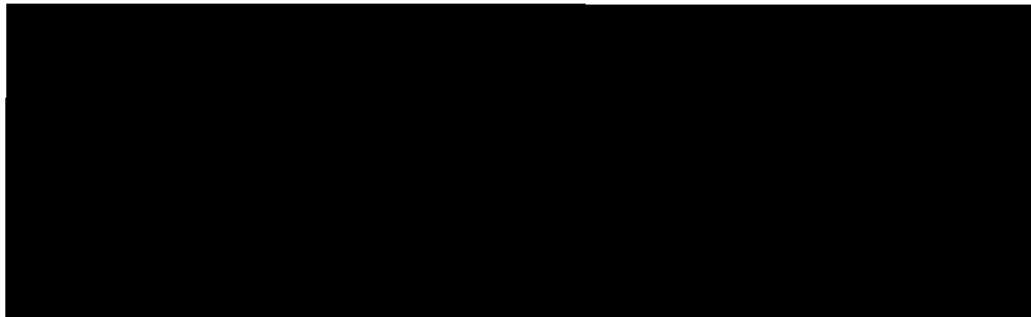
In an 8-0 vote in light of the information presented, the Board determined that there is reason to suspect that the former Fr. Fitzharris did sexually abuse [REDACTED] when he was a minor.

C. In the Matter of [REDACTED]

[REDACTED]

D. In the Matter of [REDACTED]

[REDACTED]

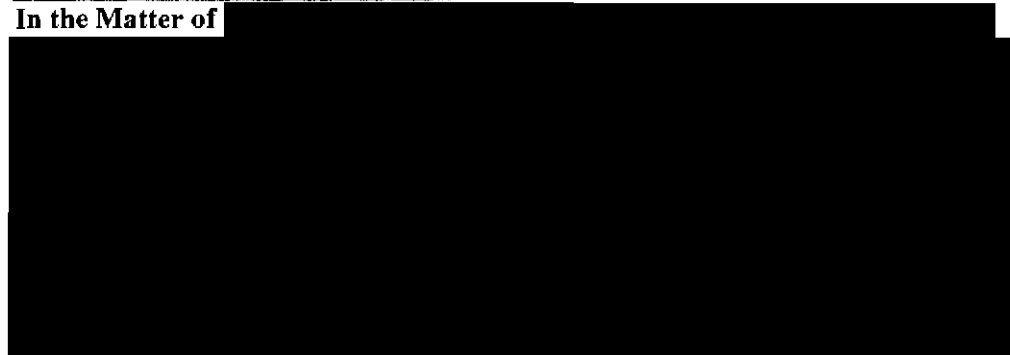


E. In the Matter of



III. Request for Supplementary Review

F. In the Matter of



In the Matter of

[REDACTED]

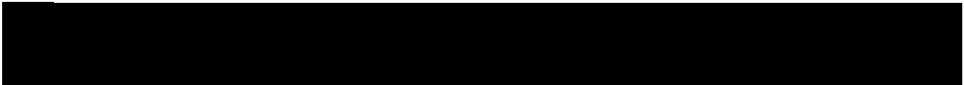
In the Matter of

[REDACTED]

IV. Other Matters

- Determined that the September 19, 2009 Review Board meeting would be canceled; therefore the next meeting is scheduled for October 17, 2009
- [REDACTED]
- **Conducting interviews:** not enough time to discuss; continued to next Review Board meeting scheduled for October 17, 2009

[REDACTED]



Next scheduled meeting is Saturday, October 17, 2009 from 9:00 a.m. to 1:00 p.m.

file

ARCHDIOCESAN PRIESTS' PERSONNEL BOARD

MINUTES

Meeting No. 20 - Third Board

Meeting: Tuesday, February 29th, 1972

Present: Lynch, Wachowiak, Upton, O'Malley, Adams, Scheid, McDonagh, Ventura, Keating, Kinane

Place: Priests' Personnel Board Office

1. Minutes of Meeting No. 19 were approved with the following corrections: .

[REDACTED]

- 2.

[REDACTED]

3. Agenda was approved with additions:

[REDACTED]

- 4.

[REDACTED]

III - 225

[Redacted]

5.

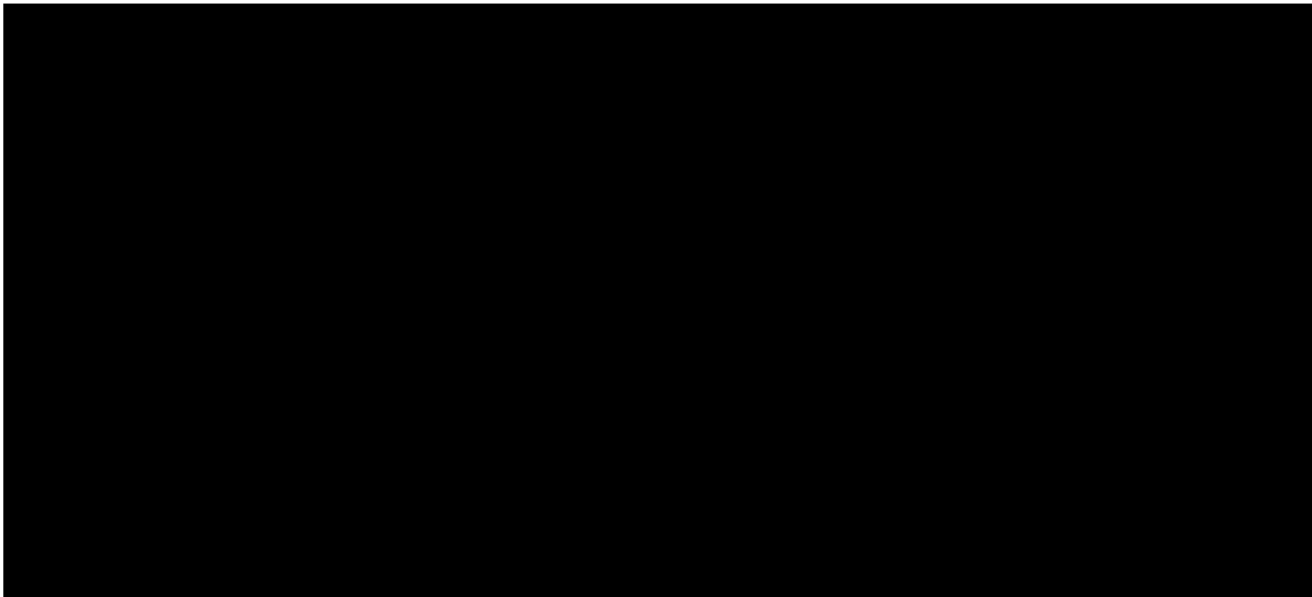
[Redacted]

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I-226

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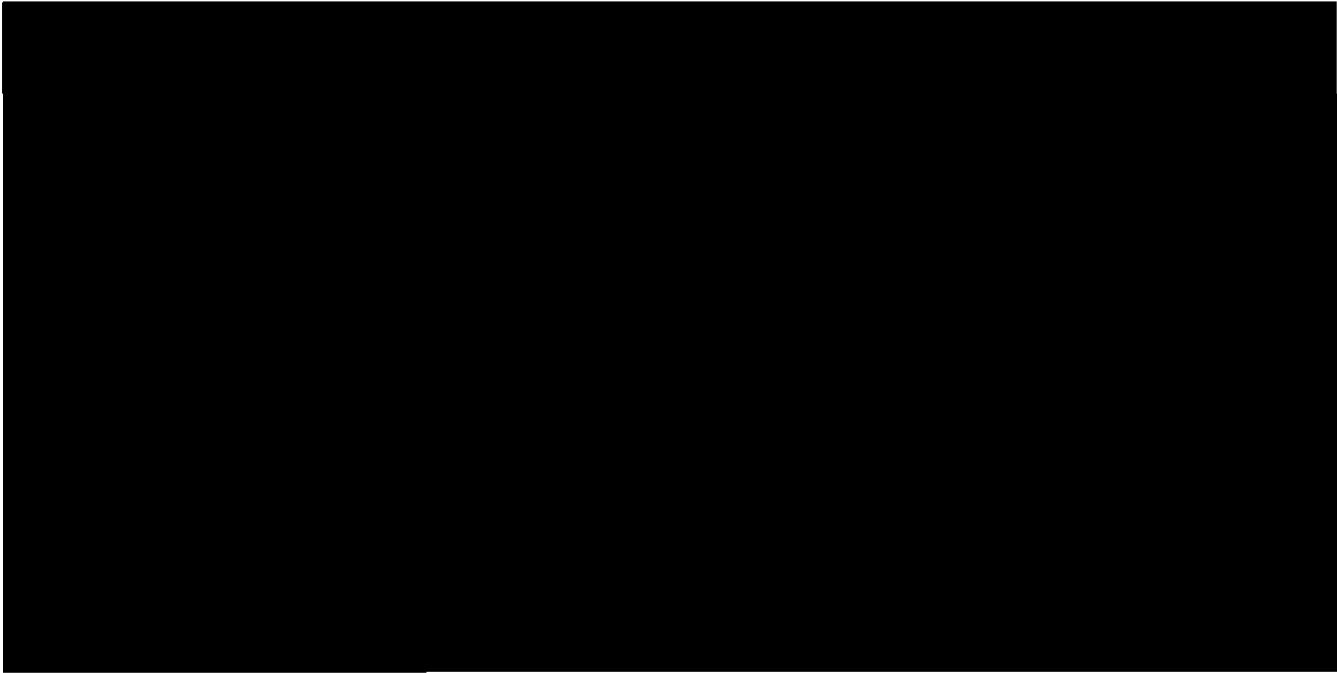


III-227

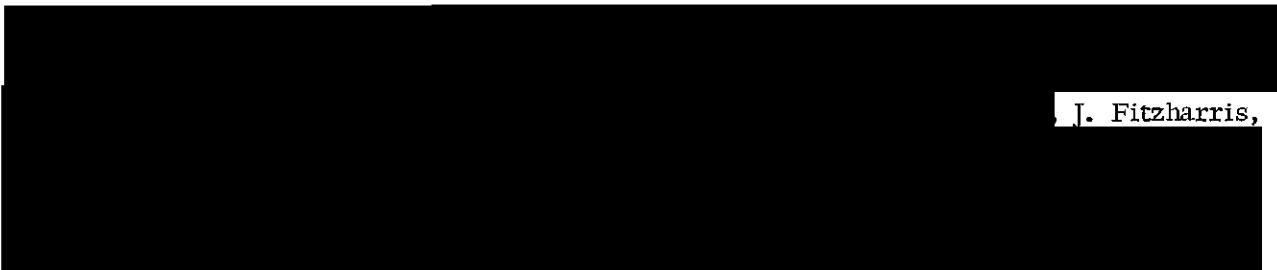
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7.



8. List of possible men to consult about changes:



J. Fitzharris,

MOTION

- (1) Wachowiak and Adams will contact the men on above list No. 8.
- (2) The Board members will contact the remaining men as a courtesy with low expectation.
- (3) A record of significant information will be kept in the man's file.

III-228

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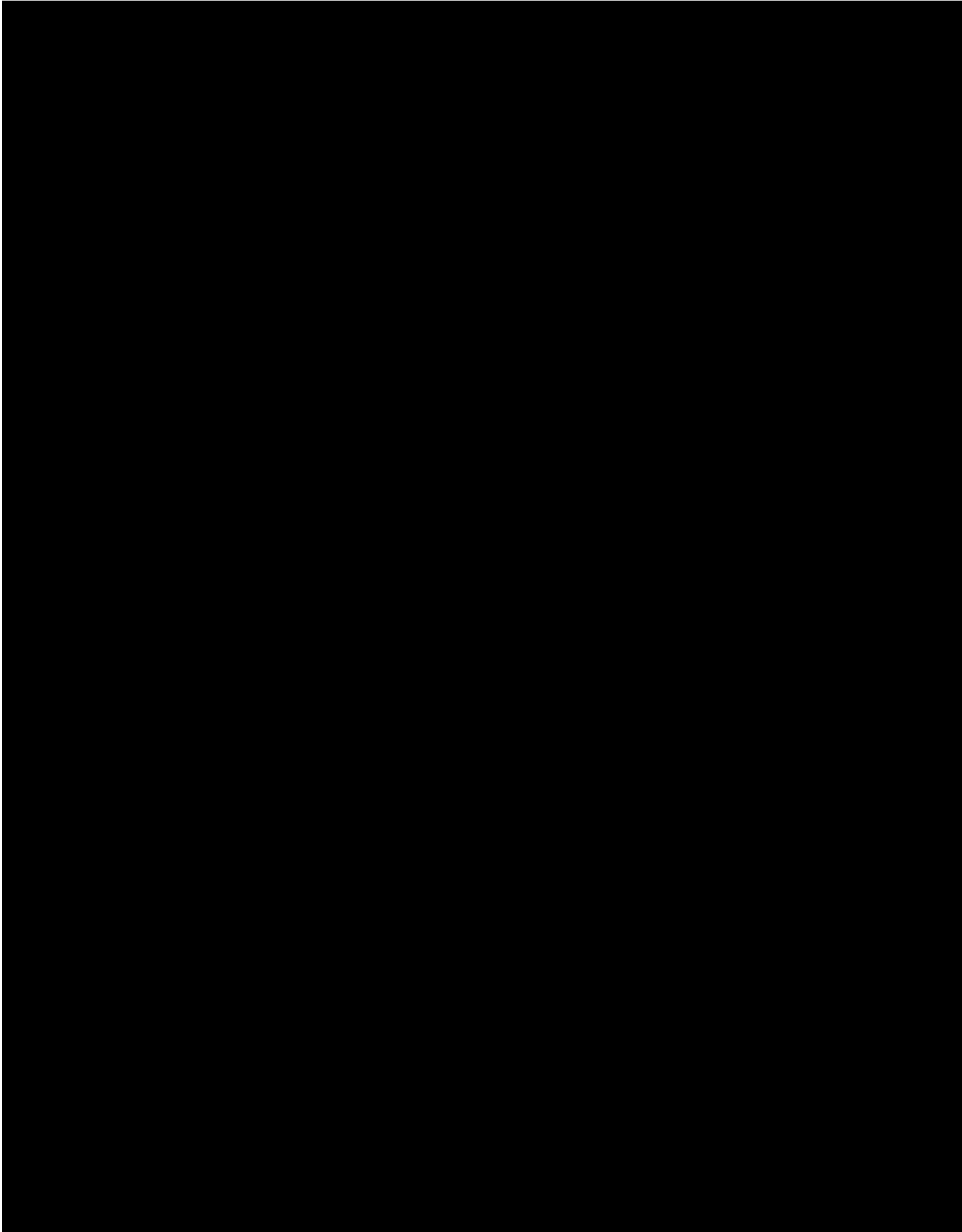
MEETING ADJOURNED AT 4:00 P. M.

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III-229

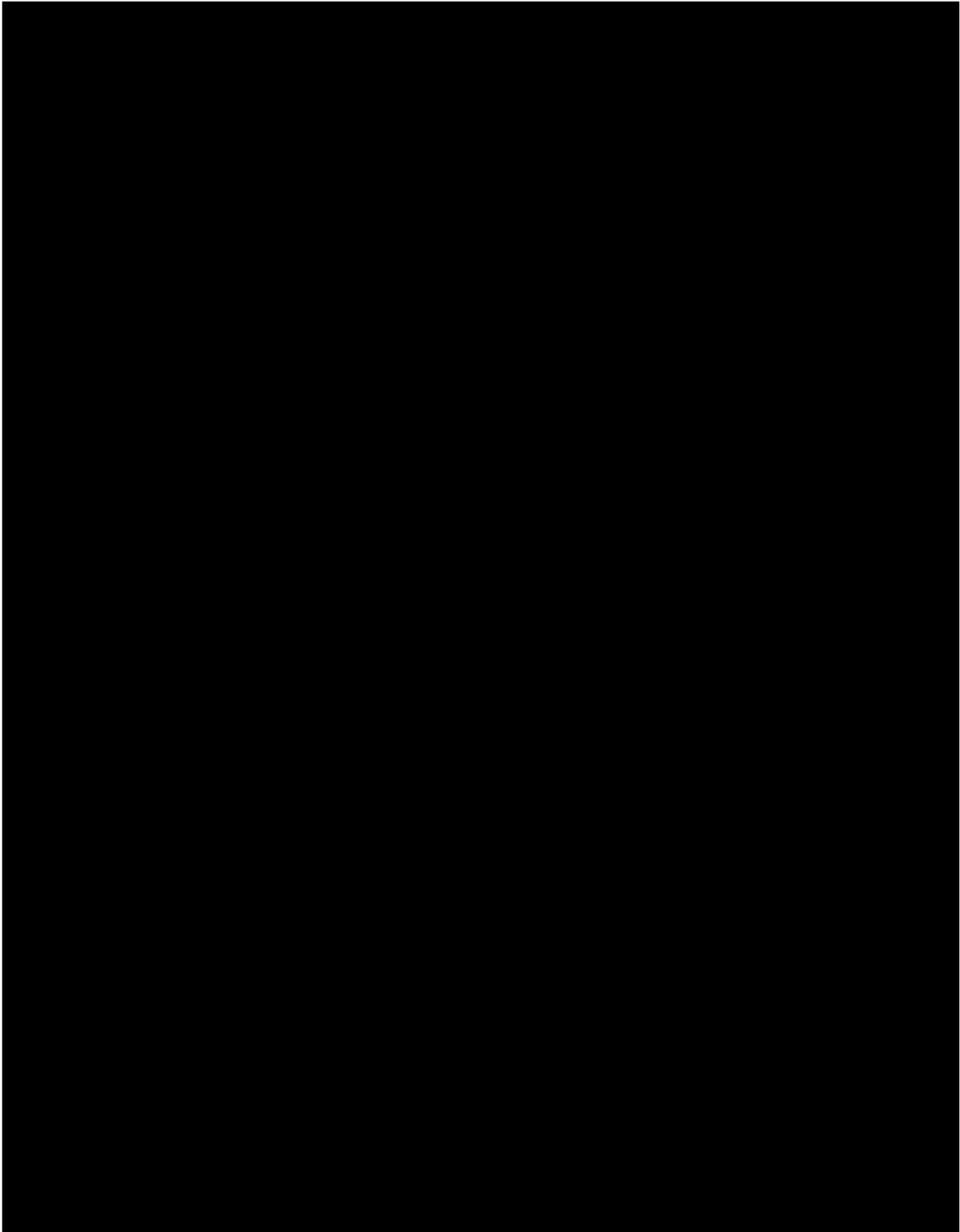
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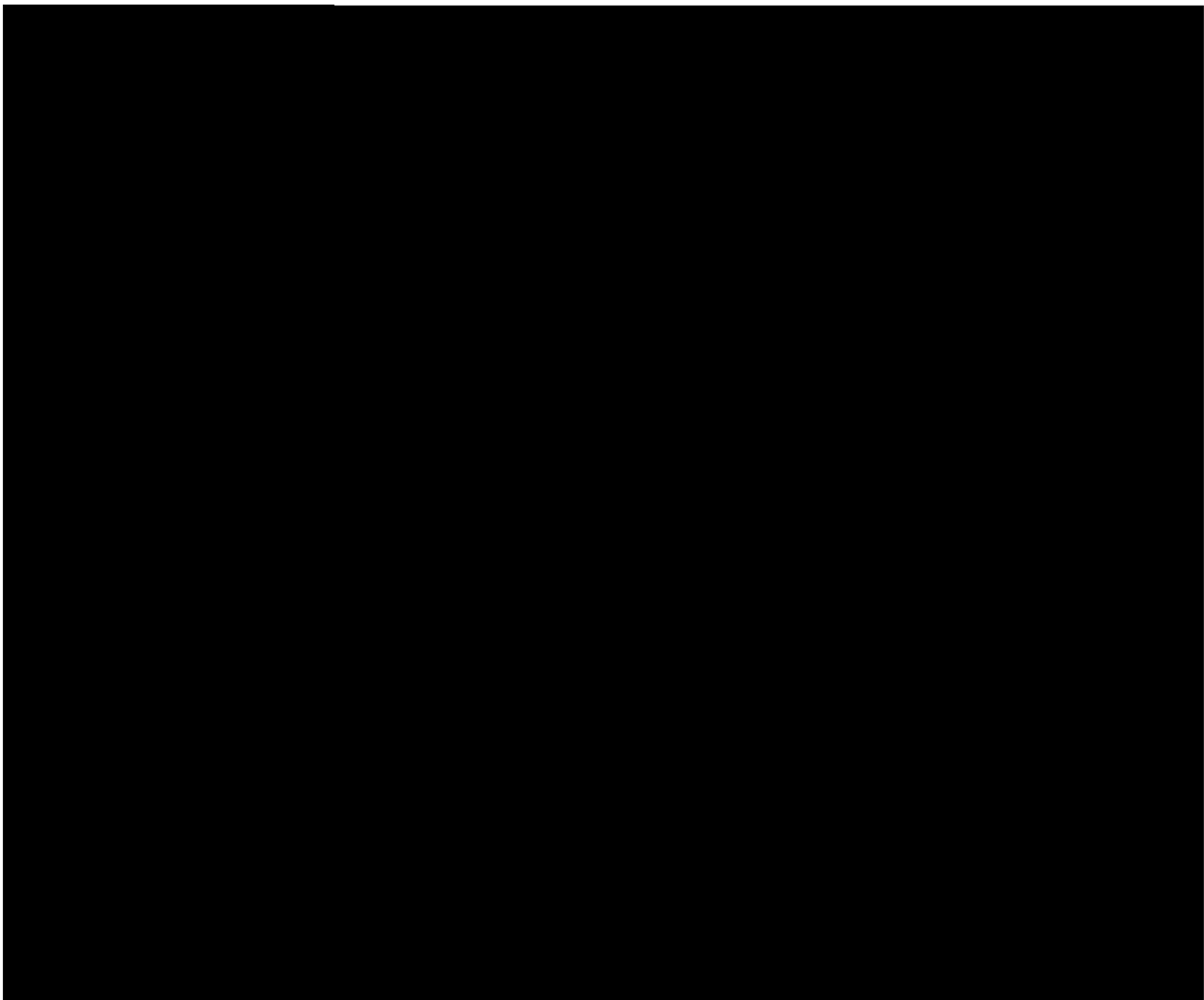


-161-

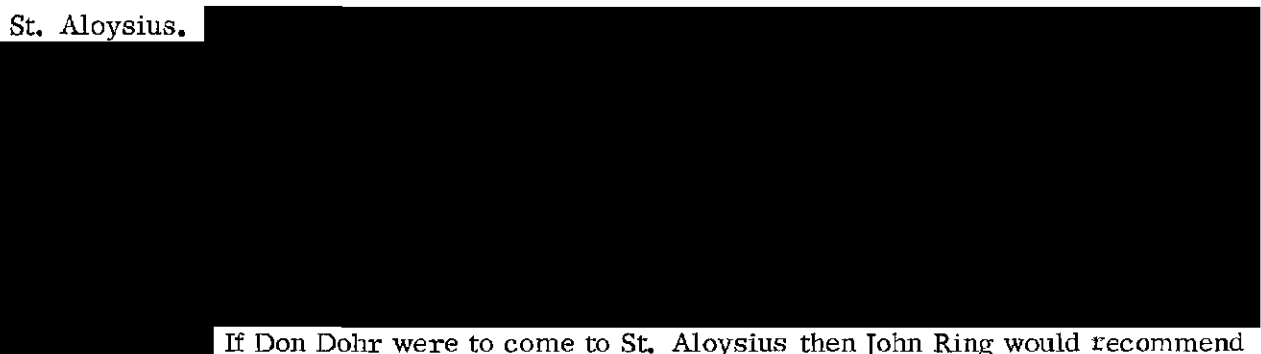
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(i)



-162- 4 21.69
(v)



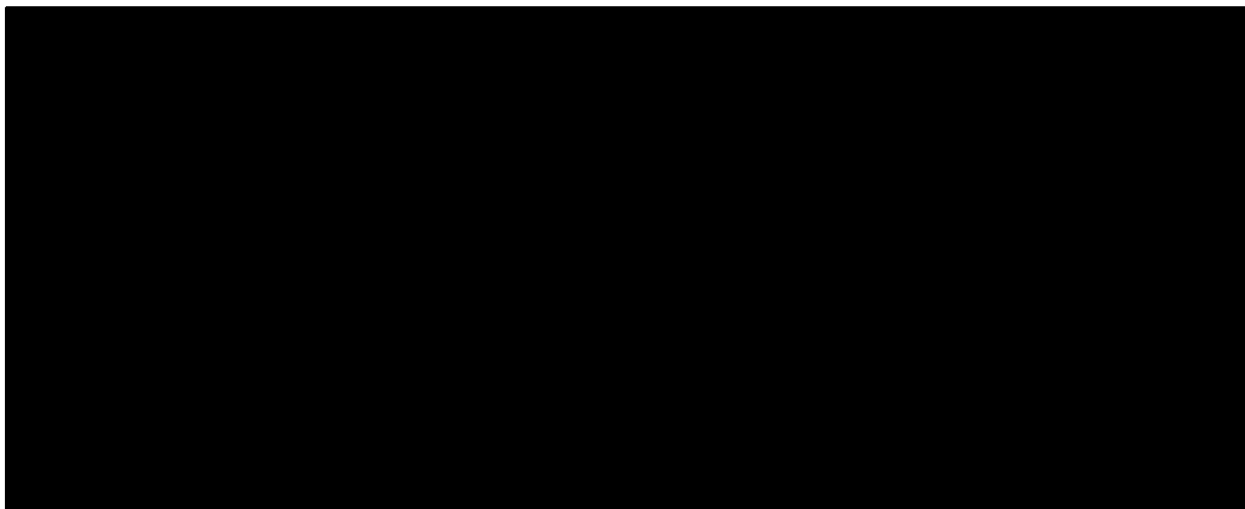
St. Aloysius.



If Don Dohr were to come to St. Aloysius then John Ring would recommend that Joe Fitzharris go to Chicago Heights to help out with the Spanish there, and to replace Don Dohr there. This might be very difficult to do because Joe Fitzharris also has some pretty deep roots at St. Aloysius, and is now studying in Puerto Rico and is probably looking forward to returning to St. Aloysius. It is possible that Joe could be persuaded to go to Chicago Heights to take care of the Spanish needs there. In the Chicago Heights area, the Spanish are spread out quite a bit. It is possible also, that St. Casimir parish in Chicago Heights will close down in about a year or so. After it does close down, there will still be a need for a Spanish Mass as Sauk Village and the priest who would service the area could live at St. Agnes Parish. It is rather clear

-163- 4/21/60
(2)

from all reports that George Aschenbrenner is anxious not to have Joe Fitzharris return to St. Aloysius. Ring states that George has left Joe Fitzharris' name off the Bulletin since he has left.



-164- 4-21-69
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5. Concerning George Aschenbrenner. May had a long interview with George Aschenbrenner on January 2nd. He has sent a long report to the Board, which is in the Personal File of George Aschenbrenner. George defended himself quite well against some of the charges that were leveled against him by Joe Fitzharris and Jose Acevedo. To quote May's last paragraph: "All in all, Goe made a good impression on me. He did not seem nervous or defensive. He admitted much criticism but defended himself rather cogently

-113- 1-6-69D

in some instances where the associates did not know all the facts. He seems intelligent and flexible enough in his opinions and attitudes. He sympathizes very much with Jose and promises that he will try to work very hard to iron out their differences. He knew nothing of the proposed course for Fitz but expressed no reluctance in seeing him go and perhaps joining the 18th Street project. He will consider the pastor's Spanish and agrees it would probably be very good for him all the way around. Shortly he expects a young Mexican student priest who has been helping on weekends to live there also.

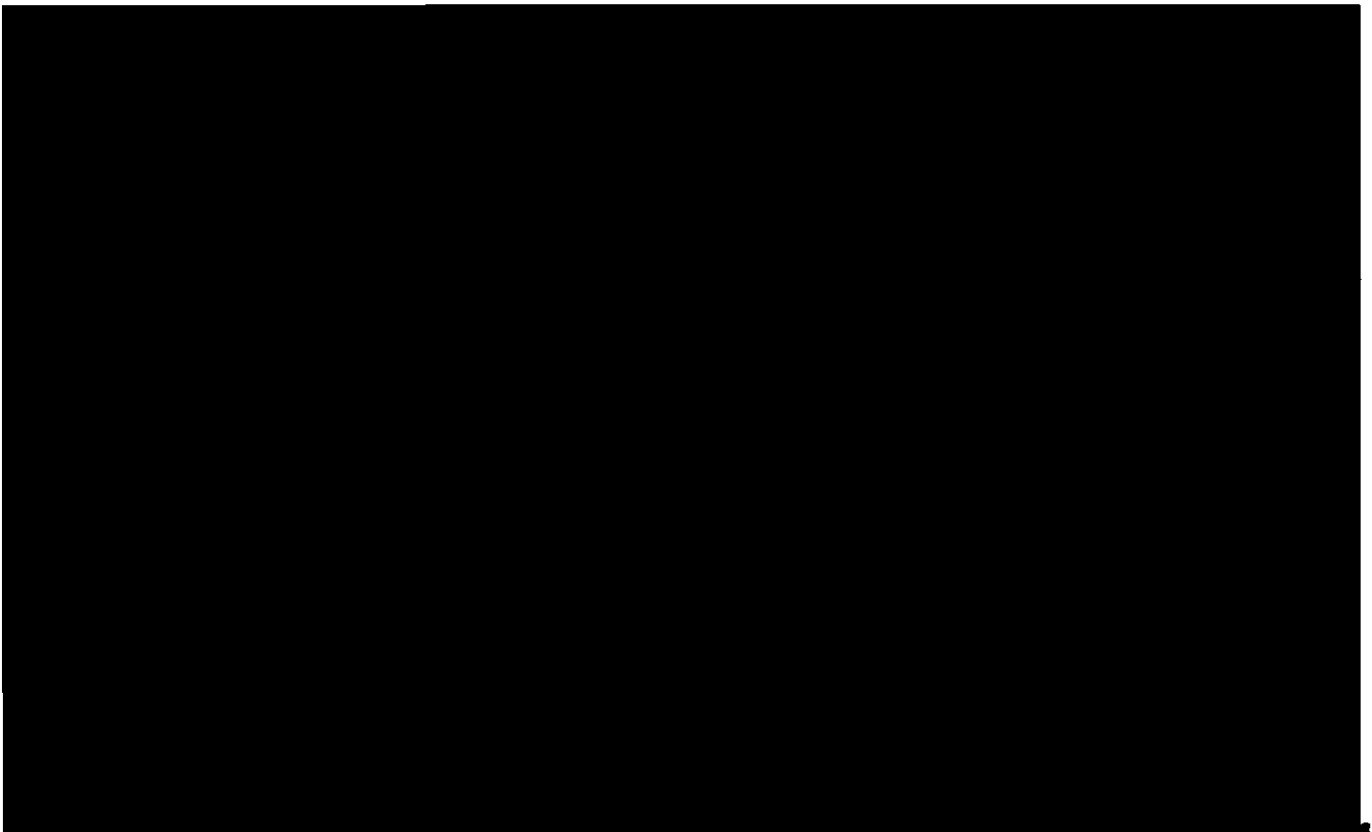
"I would suggest we wait to see if Geo can work things out a bit. He certainly has good will, and it is a rather difficult job he has. We can keep in touch meanwhile with Jose to see if there is any improvement."

~~When~~

/s/ John May

When George saw May he brought with him a letter that he had written sometime ago, but had never typed in finally to send it. When he planned to see Bishop May, he then typed it up and brought it to him. He puts on the letter, January 2, 1969. In this letter he asks that Father Fitzharris be transferred from his parish. Aschenbrenner thinks that Fitzharris' difficulty is a serious personality problem which George is convinced, calls for professional help. He feels that unless Joe gets some professional help, he is going to have serious problems wherever he is assigned. Fitzharris has been recommended to go away to study and has okayed the recommendation. His study being Spanish would be directed toward preparing him to return to St. Aloysius to do work amongst the Spanish in that Parish. Should we talk to Joe Fitzharris to let him know what George has reported to us? If so, we will have to check with George for permission to do this. The letter of Father Aschenbrenner asking for the transfer of Father Fitzharris, is in the Personal File of Joseph Fitzharris.

6.



-114- 1-6-67 (2)

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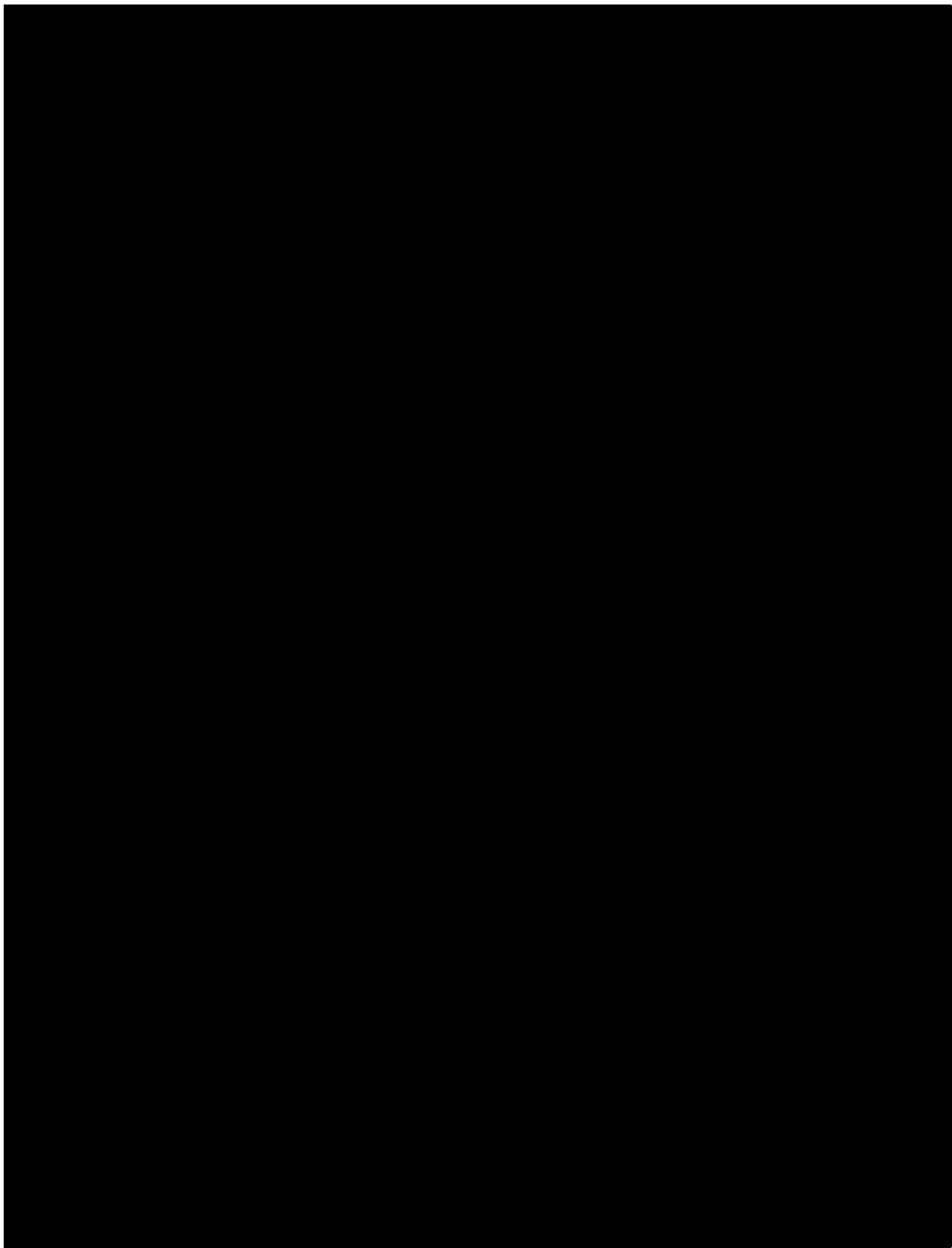
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-166-

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14. Regarding St. Aloysius.

Bert also thinks that Father Dohr could take Joe Fitzharris' place and be strong enough to work with George and Jose. The big question is in the mind of Bert, whether it would be possible to transfer Joe Fitzharris and whether George Aschenbrenner is strong enough to hold up along with Don Dohr.

15.

-167-

MINUTES

Meeting: #16 - Thirteenth Board

Date: December 6, 1991

Place: Priests' Personnel Board

Present: Reverends: Jeremiah M. Boland, Daniel P. Coughlin
Edward R. Fialkowski, Robert P. Heinz
Michael T. Ivers,
Michael W. O'Connell (arriv. 10:25),
Victor J. Sivore, Kenneth J. Velo (arriv. 10:25).

Absent: Rev. Donald J. Nevins

I. Opening Prayer: Rev. Victor Sivore 10:10 A.M.

II. Minutes: Accepted 12/02/91 5 - 0 - 2
Accepted 11/22/91 7 - 0 - 1

III. Reports:

1. [Redacted]

2. St. Pascal Parish: Ed Fialkowski contacted Gary Miller '72 [Pastor] inquiring as to what the circumstances were at the parish with the departure of Joseph Fitzharris '62. Gary says that it was very difficult during the months of October and November, but presently things are calm and the parishioners have been very supportive and understanding.

[Redacted]

3. [Redacted]

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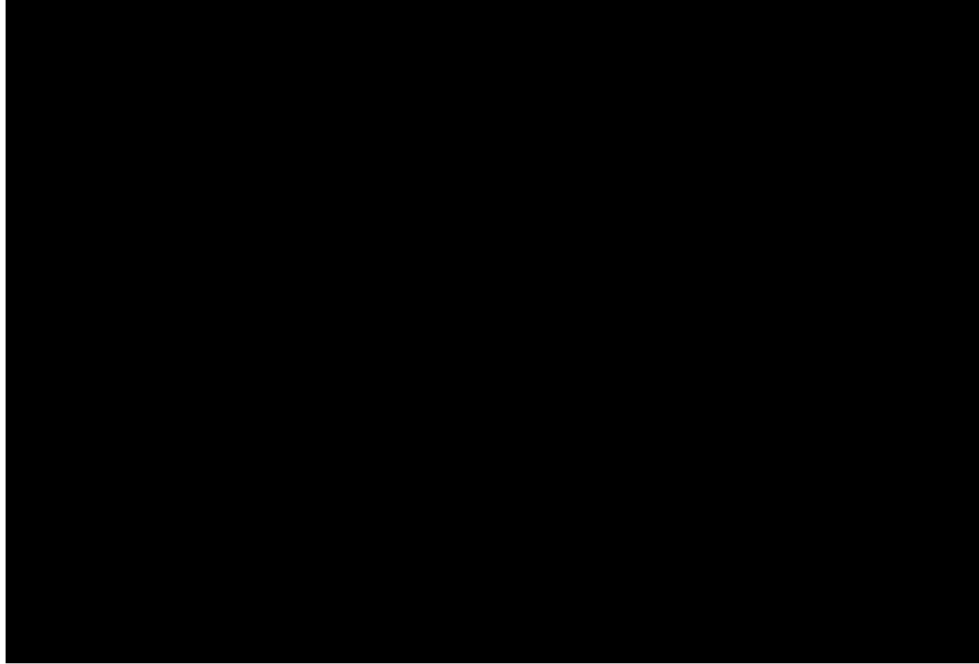
IV. Acceptance of Agenda: Approved 8 - 0 with additions



V. Business:

A. Priests:

1.



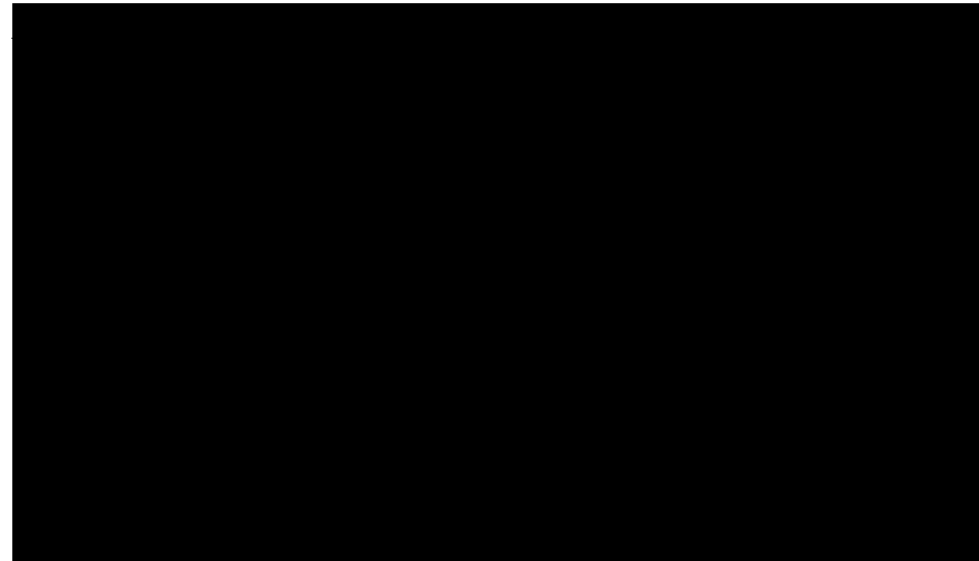
2.

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5. Gary Miller '72: Gary [Pastor of St. Pascal] seems to be doing pretty good. The parish is handling the departure of Joseph Fitzharris '62. At this point, Gary has no plans to apply for an Associate Pastor.

6.



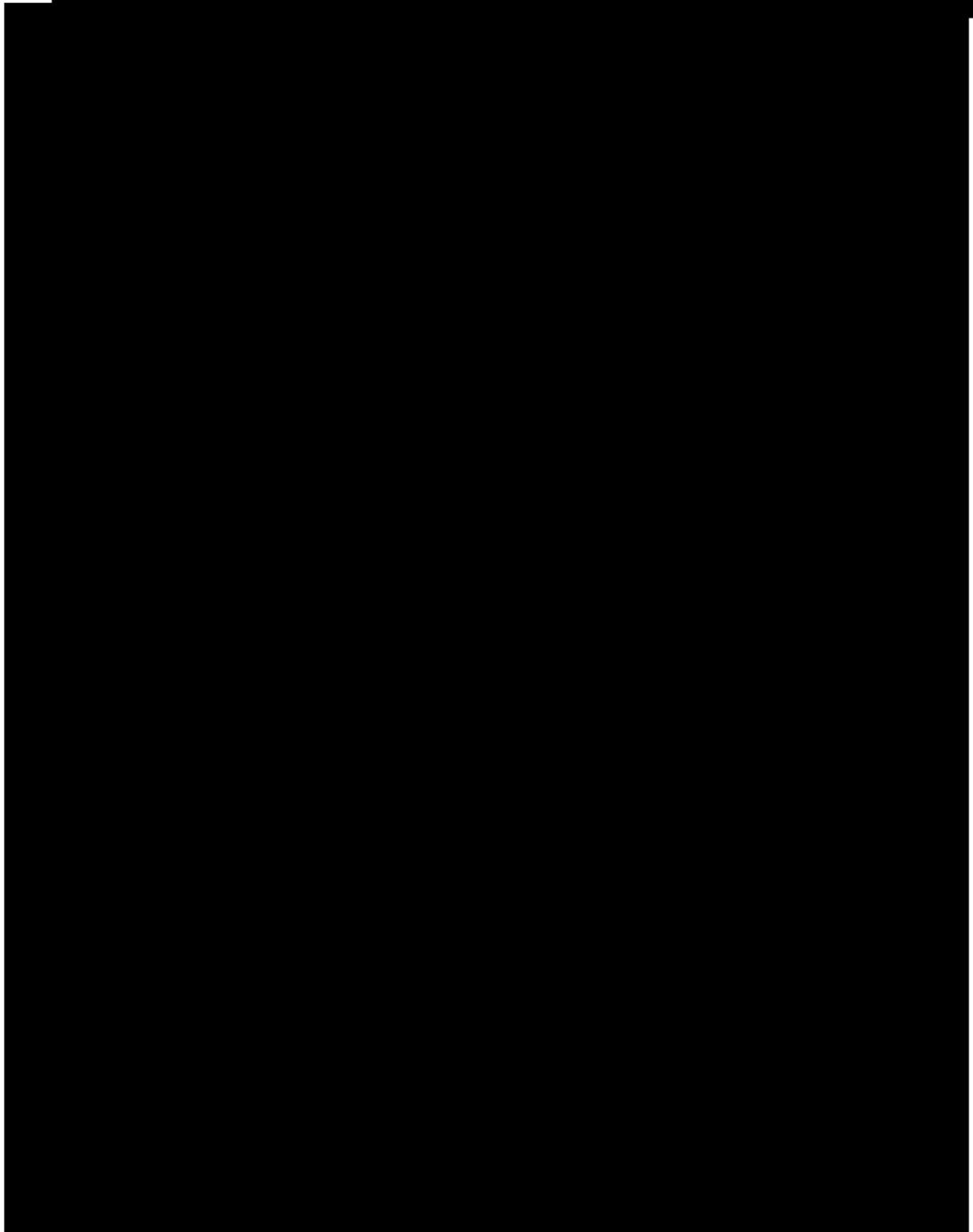
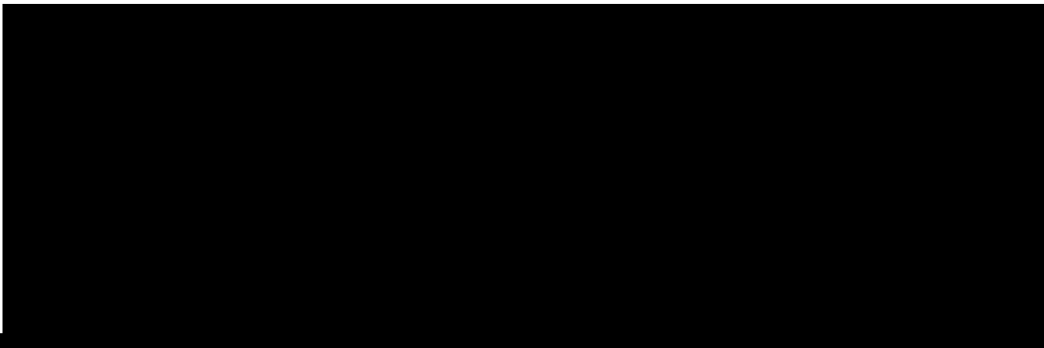
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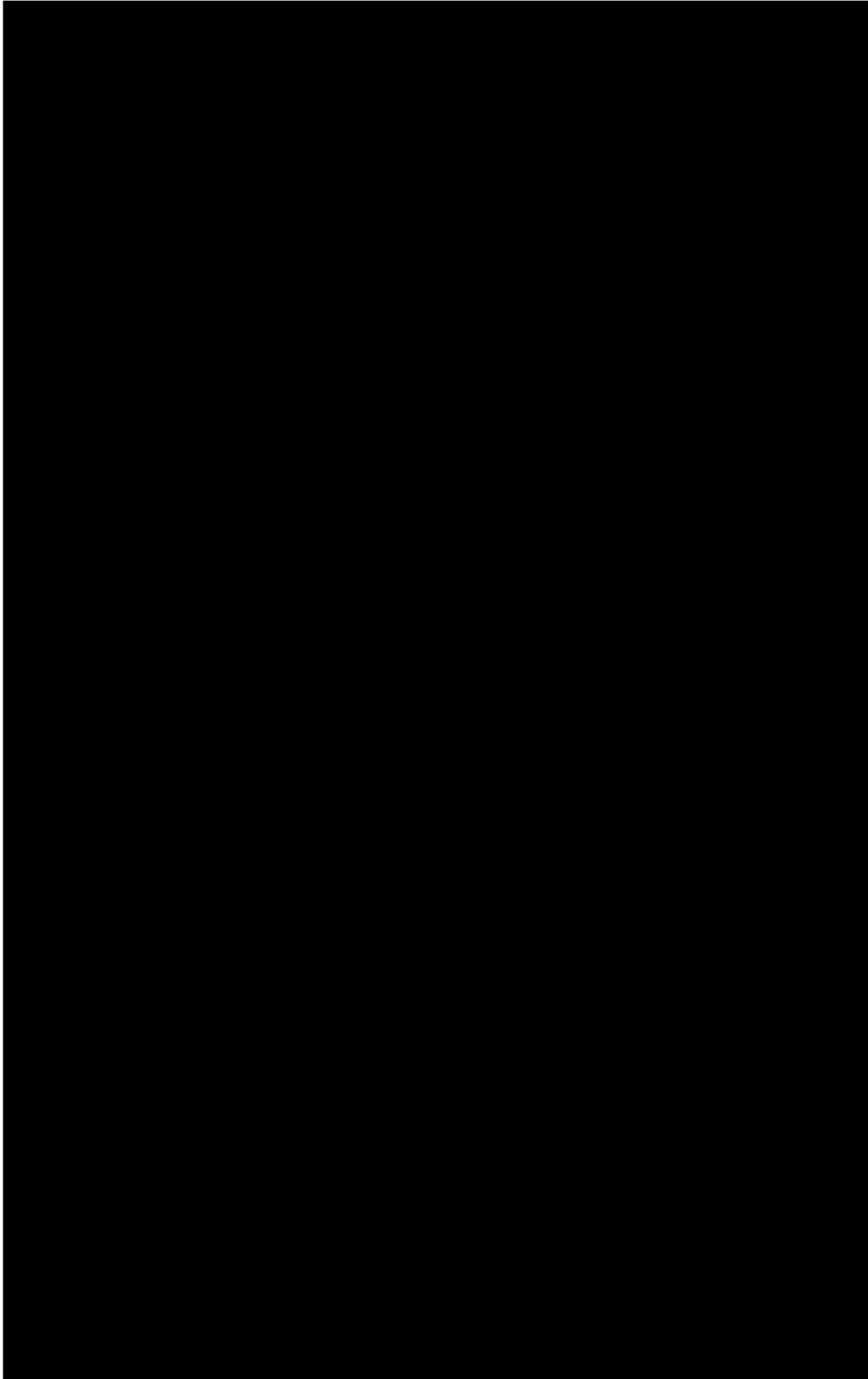
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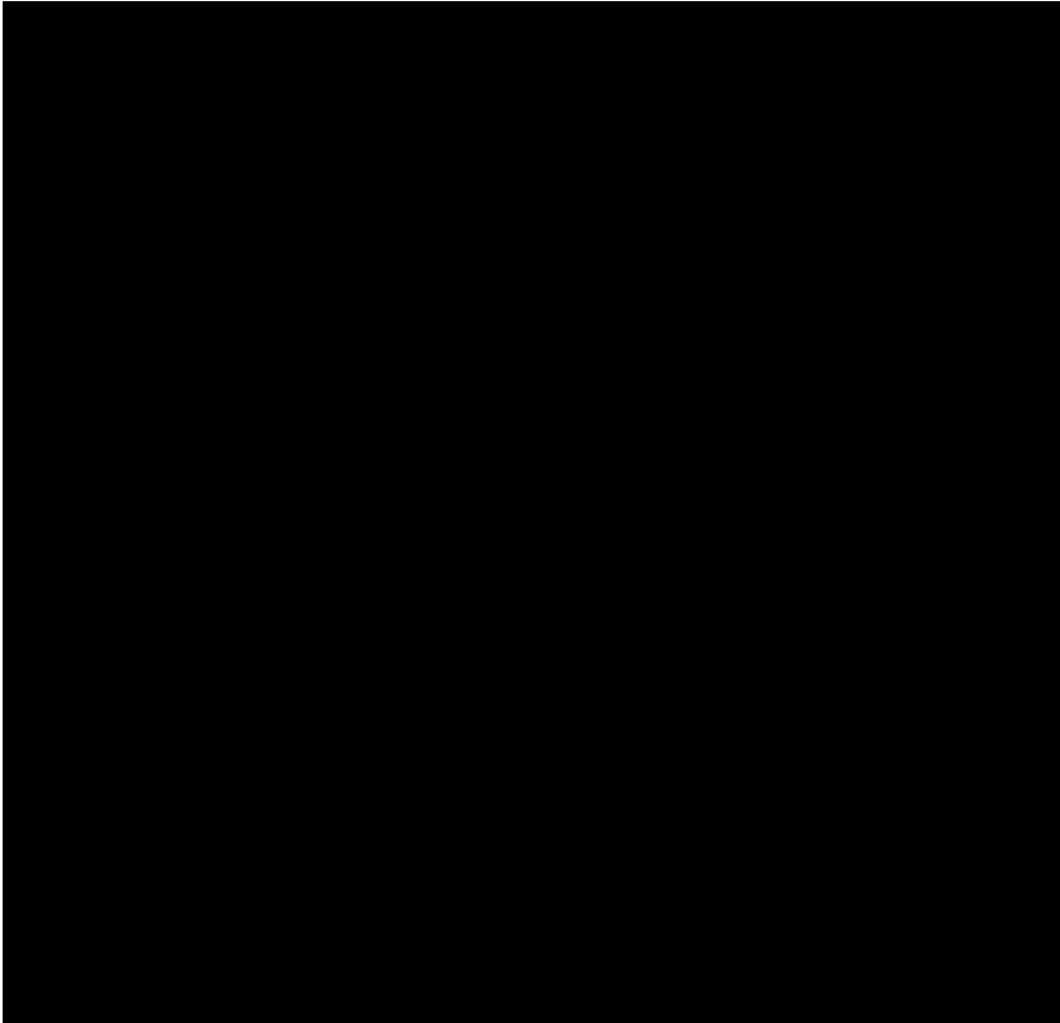
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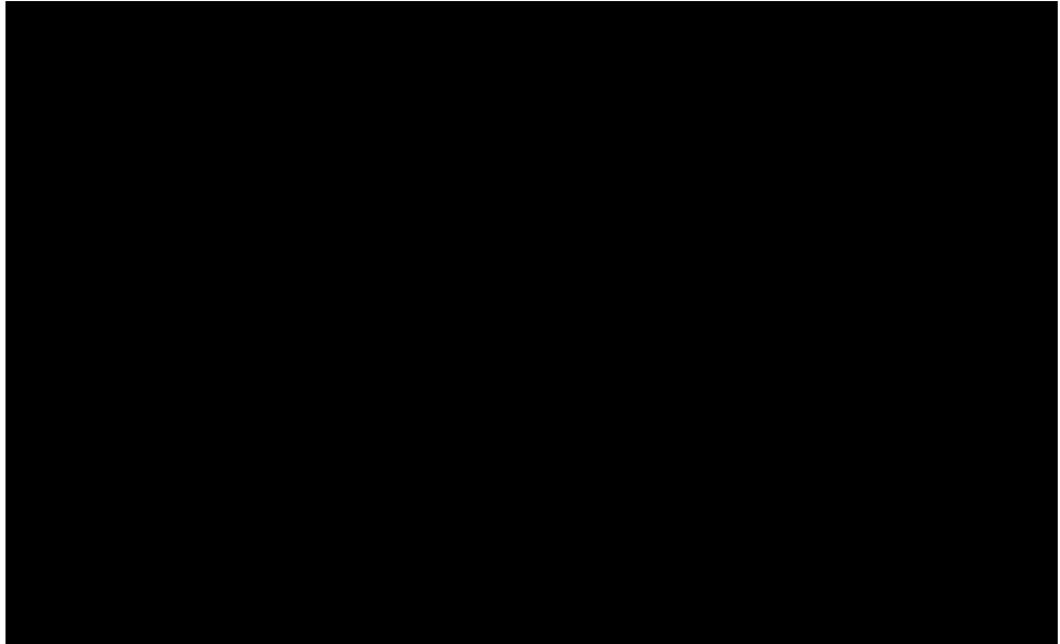




D.



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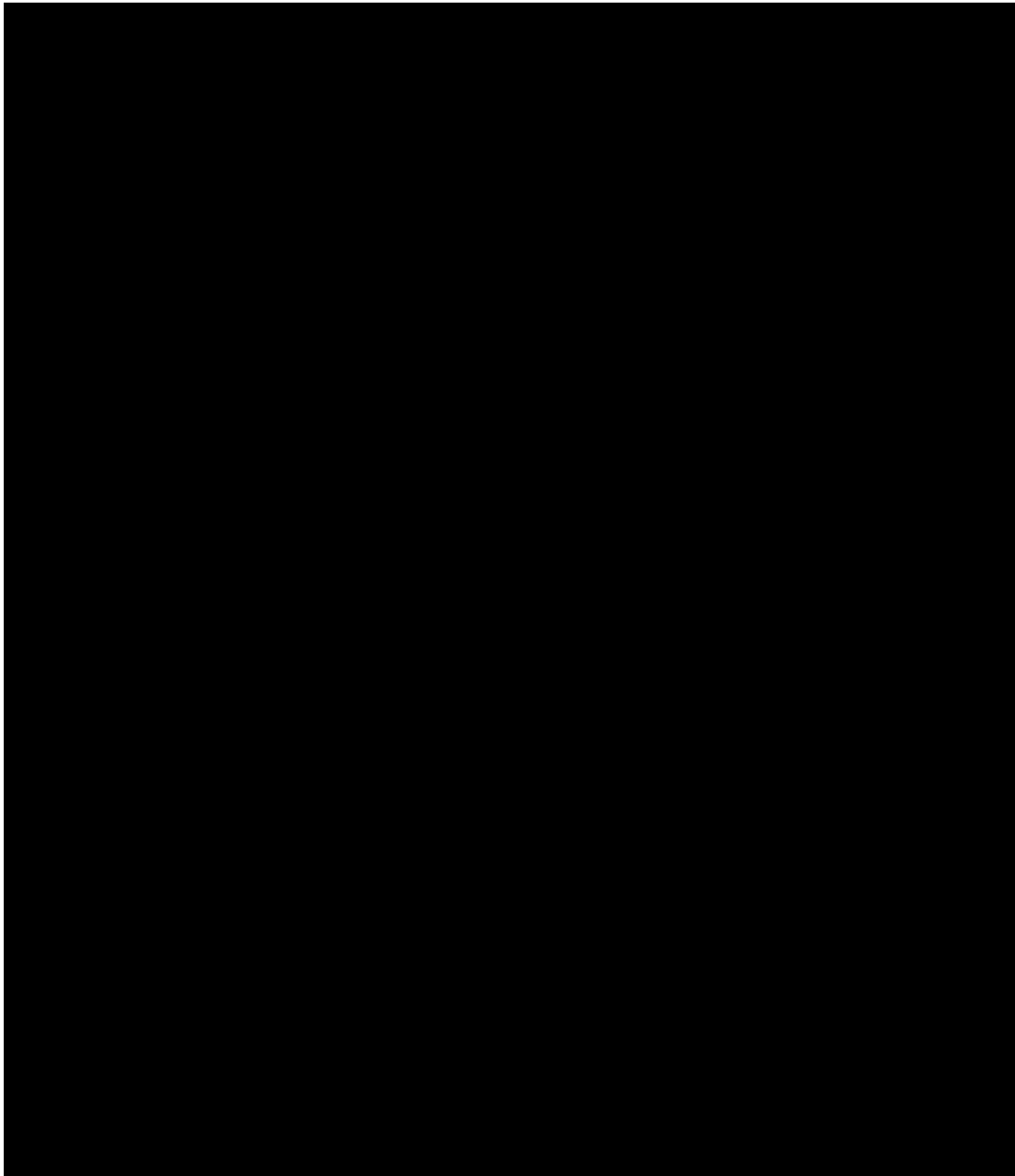


F.

G.



H.





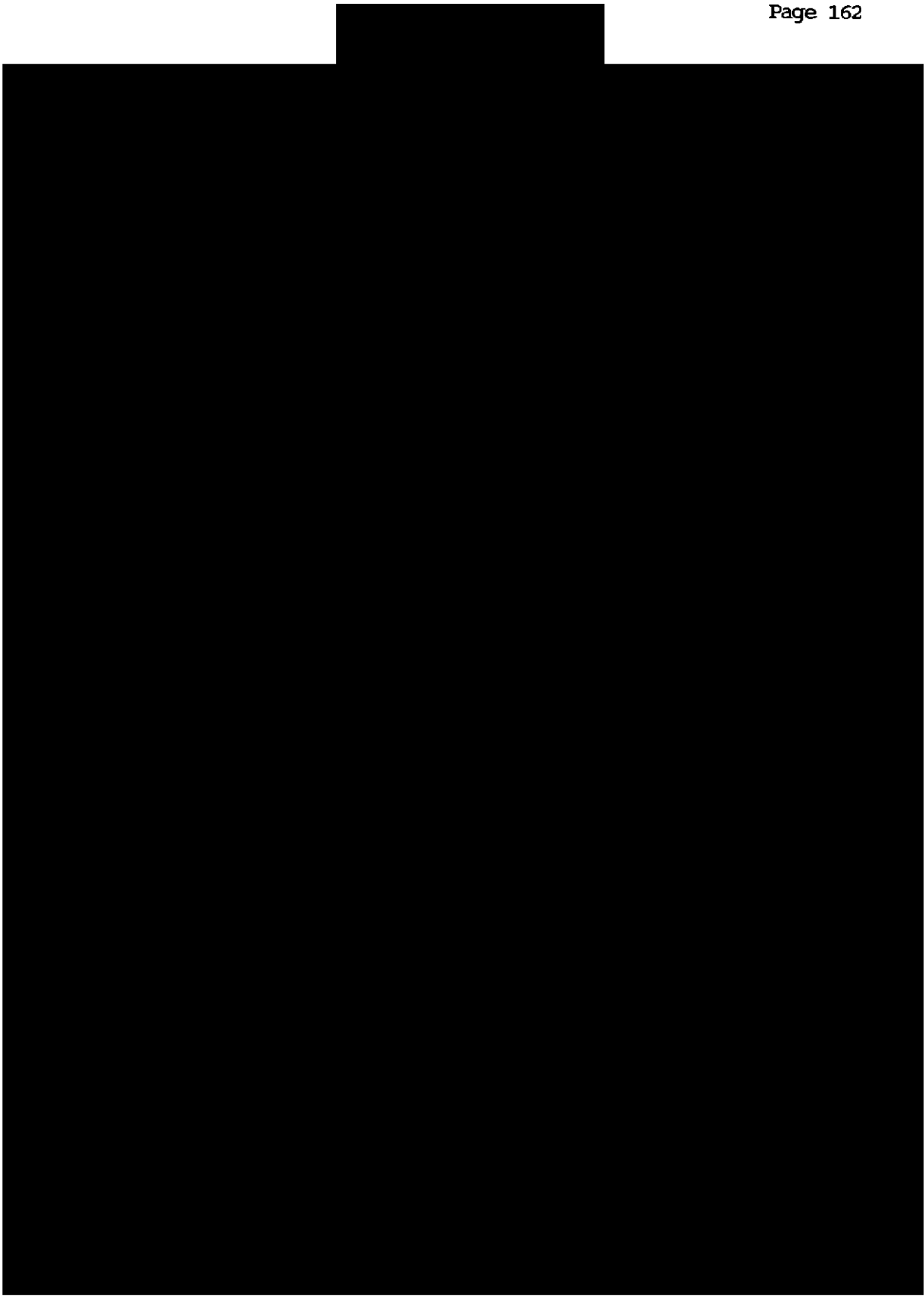
VI. Old Business: None discussed.

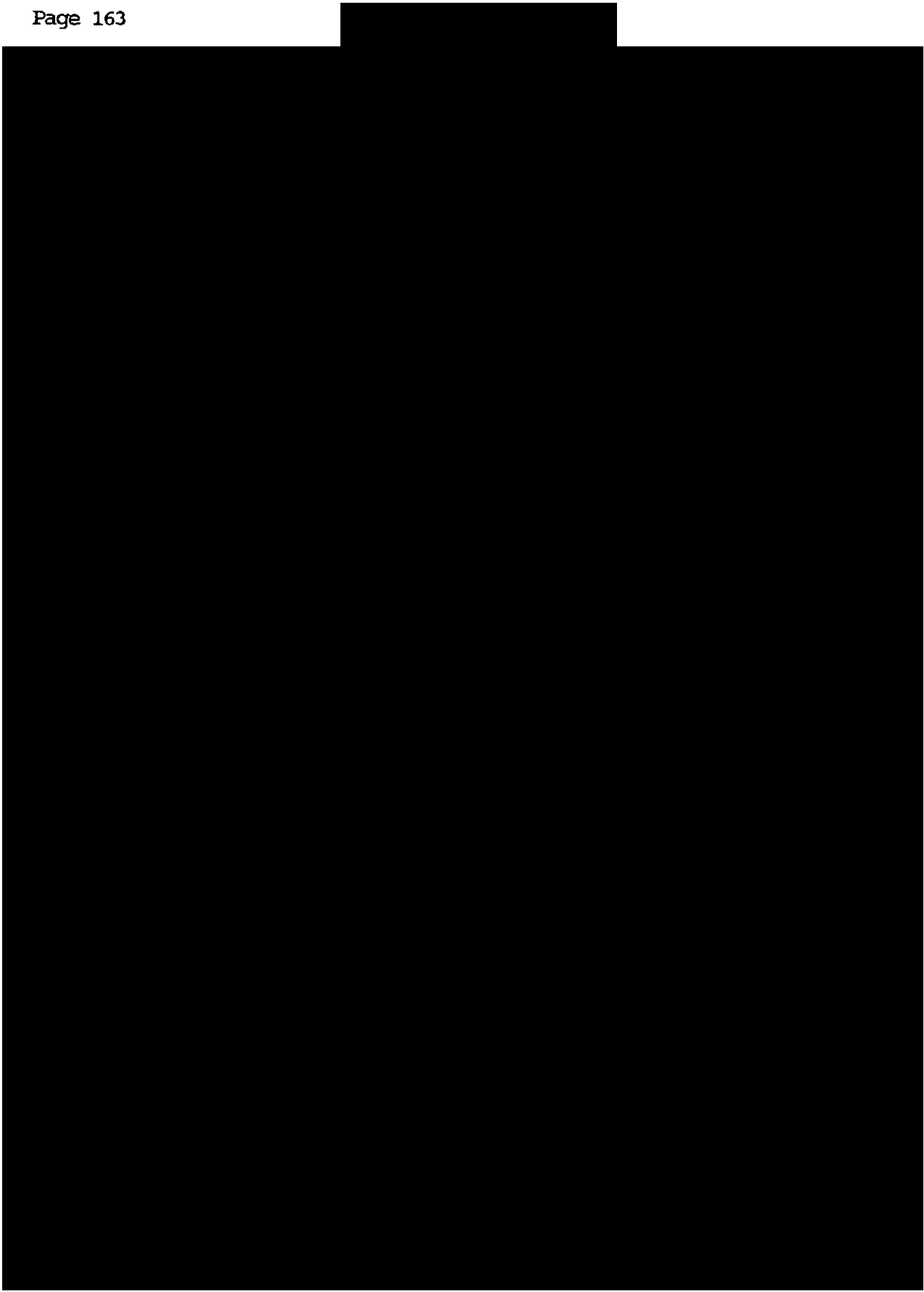
VII. New Business: None discussed.

VIII. Adjournment: 2:40 P.M.

MOTION: 8 - 0







file

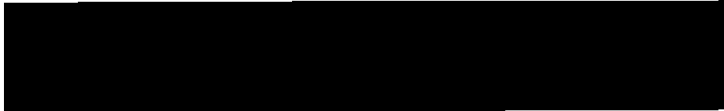
ARCHDIOCESAN PERSONNEL BOARD

A G E N D A
(Meeting Number 85)
(January 6th, 1969)

(May and Abromaitis will be in Rome and Vanecko will most probably miss the morning session - SO - COME)

1. Minutes.

2. Reports:



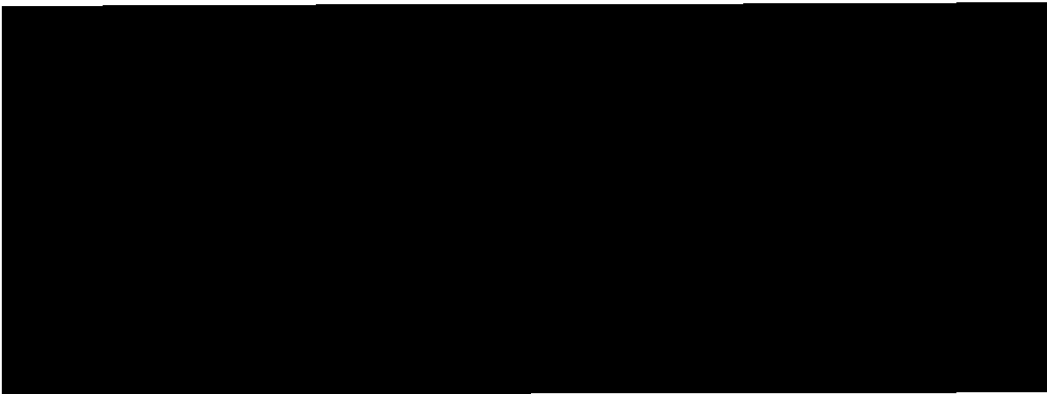
3. Approval of the Agenda.

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10. What should we do regarding the request of Aschenbrenner to have Joseph Fitzharris transferred?

11.



I-116 1-6-69 #85

MINUTES

Meeting: #16 - Twelfth Board

Date: December 8, 1989

Place: Priests' Personnel Board

Present: Reverends: John W. Calicott (arriv. 11:28), Raymond L. Cusack,
Edward R. Fialkowski, James P. Firno,
George J. Kane, Donald J. Nevins,
Michael W. O'Connell, Victor Sivore.

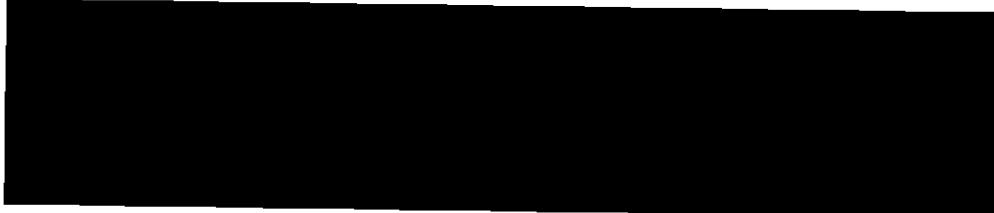
Absent: Rev. Kenneth J. Velo.

I. Opening Prayer: Rev. Donald Nevins 10:20 A.M.

II. Minutes: Approved 6-0-1

III. Reports:

1.



2. Joseph Fitzharris '62: Ray Goedert (Vicar) is recommending to the Cardinal that Joe be appointed Associate Pastor at St. Paschal Joe is in the process of writing Tom Maher '47 at St. Genevieve's to inform him that he will no longer be Associate Pastor at St. Genevieve's.

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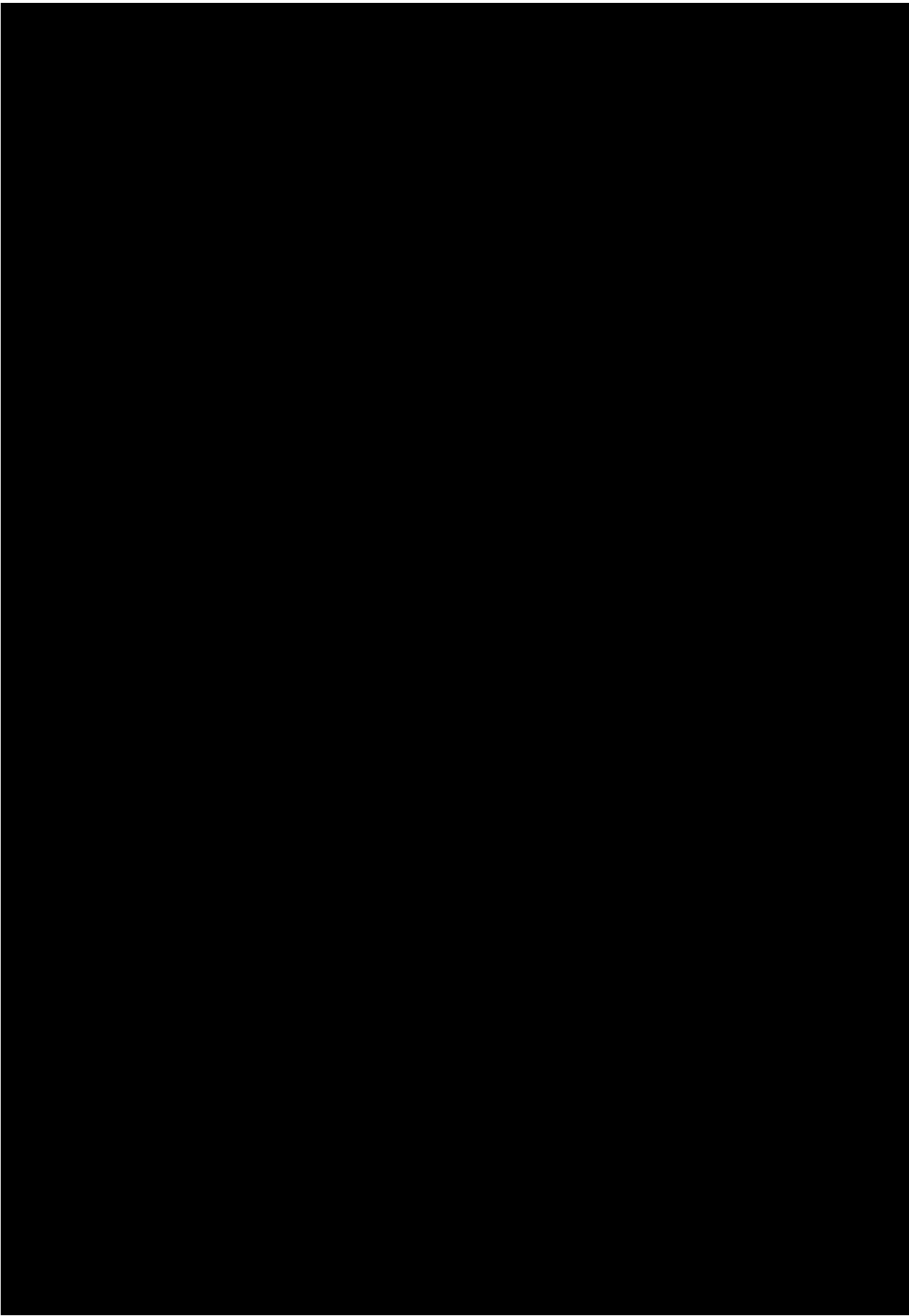
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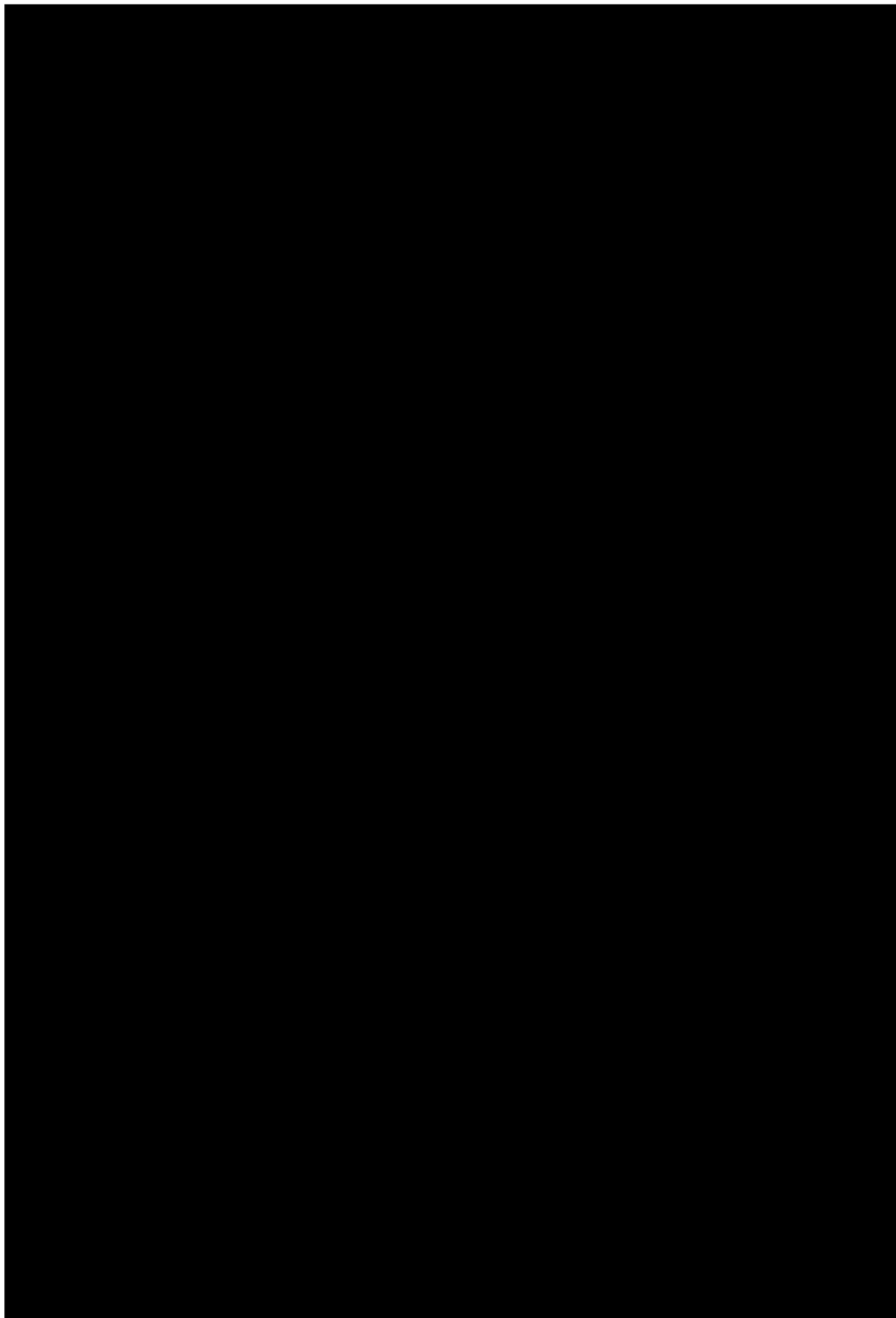
13.

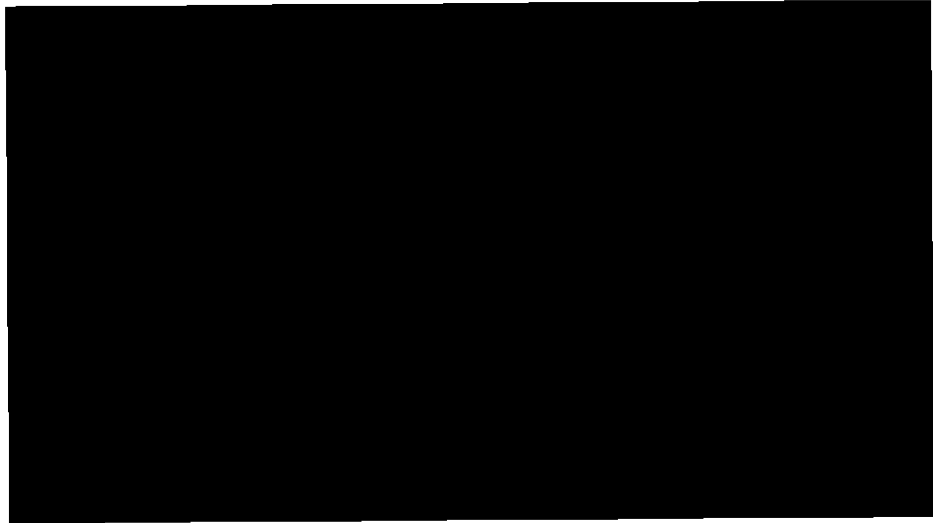
14.

IV. Acceptance of Agenda: Addition V/B #2 St. Benedict

V.







VI. Old Business: None discussed.

VII. New Business: None discussed.

VIII. Adjournment: 2:50 P.M.

