



Archdiocese of Los Angeles

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**VOTUM OF THE ORDINARY OF INCARDINATION,
CARDINAL ROGER MICHAEL MAHONY,
ARCHBISHOP OF LOS ANGELES IN CALIFORNIA**

Re: The Reverend George Neville Rucker
Accused of *Graviora Delicta*

28 November 2006

Cardinal William Joseph Levada
Prefect of the Congregation for the Doctrine of the Faith
00120 Vatican City

Your Eminence:

It is with great sadness that I write to inform you of the many accusations of the sexual abuse of minors made against the Reverend George Neville Rucker, a priest of this Archdiocese. Father Rucker is now 86 years old and long since retired from priestly ministry. To date, documented cases of alleged abuse include accusations from at least 40 different individuals, with the earliest incidents dating back to 1947, the year following his ordination. There is no doubt that the behavior of which Rucker has been accused represents canonical delicts according to the terms of canon 2359, §2 of the 1917 *Codex Iuris Canonici* and retained in canon 1395, §2 of the 1983 Code, as is evident from the accompanying Report; moreover, Rucker admits his actions, both explicitly and implicitly.

An initial complaint about Father Rucker was received by archdiocesan authorities in 1965, when an anonymous letter reported that he was "using his hands too freely with schoolgirls." Later that same year, the principal of the school named in the anonymous letter also reported that Rucker was engaging in imprudent relations with schoolgirls at the rectory; the girls in question ranged from seven to fourteen years of age. Two years later, in 1967, police received a report of inappropriate touching over clothes by Rucker, but the ensuing investigation failed to corroborate the allegations, and the parent of the child involved refused to file a formal complaint. Rucker retired as Pastor of Corpus Christi Parish, in Pacific Palisades, in 1987.

In 1989, a woman reported that she was molested by Father Rucker during the years 1965-1967. In 1990, two other women reported similar behavior by him, the first relating that she and three other schoolgirls had been sexually abused by him in 1967, and the second reporting that she was abused by him in 1947. Rucker admitted his perpetration of the acts alleged by this second woman, expressed his sorrow and regret, and agreed to a settlement of \$55,370 to pay for past and present therapy for her. In April 2002, a letter was received from a woman accusing Rucker of abusing her and other schoolgirls in the mid-1960s; following these further reports, Rucker was moved to a residence for retired priests and was forbidden to engage in public ministry.

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Publicity surrounding Rucker's case soon brought forth allegations from other individuals, which led to an investigation by the Los Angeles Police Department resulting in criminal charges being brought against him and his being dramatically arrested aboard a cruise ship off the coast of Alaska. The manner of his apprehension by authorities received much publicity.

The criminal charges lodged against Father Rucker were later dismissed when the U.S. Supreme Court struck down a California State law that had sought to allow retroactive prosecution of cases otherwise barred from criminal action by the expiry of the statute of limitations. However, civil lawsuits were not affected by this decision of the U.S. Supreme Court, and numerous lawsuits filed against the Archdiocese by individuals claiming they were abused by Father Rucker are currently pending. There are at present 27 separate lawsuits in which 39 claimants, either individually or jointly, are seeking damages from the Archdiocese in connection with Rucker's alleged sexual abuse of them.

In 2005, I asked Father Rucker to consider making a voluntary petition to the Holy Father seeking laicization, but he responded that he did not wish to be laicized. Given his age and the fact of his residence in a retirement community, and since I had already prohibited him from engaging in any public ministry, I did not see a pressing need to pursue the matter further. However, I became concerned as to Rucker's awareness of the gravity of his situation when he sought permission to participate in a clergy pilgrimage to France, going so far as to inform me that if I denied him this permission, he would make arrangements to undertake the trip on his own. I reminded him of the simplicity of life and the living out of penance to which he was called, and suggested that if he felt the need for a pilgrimage, one of the contemplative monasteries here in California would be more appropriate. I then received reports that he was visiting people in the Archdiocese while dressed in clerical attire. I thus came to realize that it was necessary to make him more formally aware of his situation, wherefore I issued a Decree on 13 December 2005 binding him to a life of prayer and penance. My hope at the time was that this would be sufficient to deal with the matter.

These past many months, however, I have been meeting with victims who have made allegations of sexual abuse against members of our local clergy, including many who claimed that they were abused by Father Rucker. These experiences have been most intense and have brought me to engage in more fervent prayer and reflection concerning both the accusers and the clergy accused, and to ponder more deeply issues related to the greater good of the local Church and of the community at large.

With regard to the particular case of Father Rucker, this further deliberation has convinced me that the measures I have taken do not sufficiently redress the harm done to the individual victims, nor do they adequately repair the scandal given or restore justice. The resolution of these important issues became all the more urgent when, in sworn depositions given by Rucker for the various lawsuits in which he is named as having sexually abused many young children, he publicly declared that he was still a priest and that no canonical process had been undertaken by the Church either to dismiss him from the clerical state or to laicize him. Unfortunately, such statements will only be a further source of scandal to the faithful and to the community at large, and will be readily interpreted as signs of the Church's perceived indifference not only to victims but also to the cause of justice. All of this brought me to the firm conclusion that the matters related to the public good — especially with regard to the aforementioned redressing of the harm done, the repairing of scandal and the restoring of justice — could not be definitively resolved while Rucker continued to be recognized by the Church as a cleric and a priest.

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Firmly convinced, then, that Father Rucker must either be laicized or dismissed from the clerical state, I wrote him earlier this month sharing my thoughts with him in this regard and making an earnest paternal appeal to him. I invited him to meet with me so that we could discuss the situation fully, I also asked him to reconsider his decision not to petition the Pope for laicization. Knowing how dear priesthood is to him, I explained that such a petition would be a mark of sincere humility and true penance, and also a sign of genuine altruism, placing others and the good of the Church before his own desires and self-interests. Rucker however chose not to meet with me and in his written reply to my appeal responded that he did not wish to seek voluntary laicization, stating that "the greatest thing I can do for anyone to whom I may have caused any harm is to offer the sacrifice of the Mass for them." His refusal to meet with me, together with the cavalier and sometimes arrogant attitude that he shows towards his own situation, has raised serious doubts in my mind as to whether even his own personal correction and spiritual welfare have been suitably provided for in the measures taken to date.

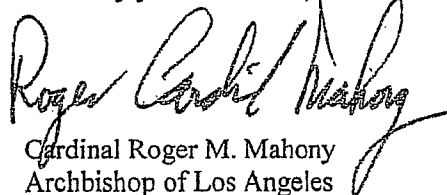
Therefore, since Father Rucker has indicated that he has no intention of petitioning Pope Benedict XVI for laicization, my *votum* in the case is that His Holiness dismiss him *ex officio* from the clerical state, and I ask Your Eminence and the Congregation to make this recommendation to our Holy Father. Given the serious nature of the offenses committed, their great number, the ample publicity surrounding them and the immense harm done to both the Christian faithful and the community at large, nothing short of an *ex officio* dismissal will properly resolve the issue. A formal trial is neither indicated nor necessary in that — as is clearly borne out in the accompanying Report — not only is there positive proof of Rucker's culpability, both by his own admission and by attendant circumstances, but his imputability is also plainly evident.

I wish moreover to note that should the penalty of an *ex officio* dismissal be imposed upon Rucker, the obligations set forth in canon 1350, §2 will be fulfilled, wherefore the Archdiocese will continue to do what it can to ensure that he does not lack anything required for his decent support. Despite Rucker's age and status as a retired priest, the offences are such that — as already explained above — no other response will adequately redress the harm done, repair the scandal given or meet the demands of justice.

I hereby submit this grievous matter to your kind attention, with my *votum* as expressed above, and am most grateful to Your Eminence for your valued assistance.

Assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,


 Cardinal Roger M. Mahony
 Archbishop of Los Angeles

(enclosure)

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