

DIOCESE sex abuse case Q&A

Questions are from The News-Press. Answers provided by Benedict Nguyen, spokesman for the Diocese of Venice.

Why did the diocese not take action earlier when there were problems reported with Rev. Joseph even before the accusation by the victim made in 2008?

Concrete actions were taken against Rev. Joseph. An investigation was conducted regarding Rev. Joseph's behavior and warnings given to him. However, at that point no victims had come forward and neither were there concrete allegations of abuse of a minor.

Why did the diocese take nearly five years to investigate the 2008 accusation and arrive at its conclusion?

After learning about the allegations, the Diocese of Venice immediately implemented the applicable procedures according to policy. His faculties were removed and he was taken out of active ministry. As with legal proceedings, thorough information had to be gathered and legal timeframes respected. The victim appeared before the Diocesan Review Board and was invited to testify in the juridical trial but declined to do so. This is understandable and we respected his decision. However, this also made it more challenging to be able to move forward with the process.

Why was the victim not made aware of the ongoing trial?

The victim was made aware of the canonical trial and was invited to give testimony for it but he declined. When contacted once again to testify in the appeal, he again declined. It was at that time that he was informed of the appeal.

Why was the document from the Diocese of Venice tribunal detailing the penal trial not made public, or at least given to the victim?

As is often the case with legal documents, this was not a public document posted for public consumption. The victim was notified of the appeal and invited to give testimony but declined.

Why was Joseph not condemned for holding a press conference calling the victim a liar?

The Diocese had serious concerns about Rev. Joseph's press conference naming his accuser publicly. The Diocese at that time was *already* moving in strong actions (such as complete suspension and removal of priestly faculties) against him to the point of rigorously pursuing a canonical prosecution against him. Rev. Joseph exercised his right to freedom of speech but Bishop Dewane never approved or agreed with the press conference. To suggest that Bishop Dewane allowed Rev. Joseph to "fight dirty" against the victim is simply false and inflammatory.

The victim's attorney, Adam Horowitz, said the pre-litigation settlement is six figures. Can you confirm his statement? If so, can you provide the exact figure?

Out of pastoral concern for the victim, the Diocese of Venice entered into a mutually acceptable agreement with him. Out of continuing respect for him, we will not be commenting on the particulars of the agreement.

I talked to Bonner Joy, a good friend of Joseph's who tells me that the trial isn't over, Joseph is still a priest, and that only Rome can defrock him. Is that true?

The trial at the Diocesan level is complete and a decision of dismissal from the clerical state was rendered. Rev. Joseph is now appealing this decision to Rome, which can implement the action of dismissal from the clerical state. Rev. Joseph continues to be completely suspended by the Diocese of Venice and has had all of his priestly faculties removed; he cannot function anywhere as a priest, and is forbidden from active ministry.

[BTW – the term "defrocked" is not a proper term. The correct term is "dismiss from the clerical state".]

May I have a copy of the letter from Joseph's accuser, which Joseph or his attorney read at Joseph's 2009 press conference denying the accusations?

This is a document of the victim and not of the Diocese. Out of respect for him, it is not ours to release.

If the case will be turned over to law enforcement, or has the statute of limitations passed?

Anyone who feels they have been abused has the right to approach and should approach appropriate legal authorities who then decide on the applicable statute of limitations.

And the accuser told me in our interview that he didn't seek a lawyer until the diocese began calling him this spring and asking him again for an interview, and to sign some more papers. He believed it was because Joseph's canonical representative filed an appeal with the Vatican, and thought maybe he was being set up. Can you address that issue?

We cannot speak to the understanding or beliefs of the person. He was informed of Rev. Joseph's appeal but declined to testify, as noted above.