

December 20, 2004

Most Reverend Alex J. Brunett
Archbishop of Seattle
910 Marion Street
Seattle, WA 98104

Dear Archbishop Brunett:

This is in response to your letter of December 3, 2004, wherein you indicate that you have decided to combine the functions of the policy and case review boards. We acknowledge that you have disbanded the case review board and that we are no longer a functioning entity. However, we are taking this opportunity to respond both to the substance of your recent letter and your comments following the release of our report approximately two months ago.

In your letter, you state that there will not likely be any further incidents of child sexual abuse committed by a priest of the Archdiocese. We do not believe that the Archdiocese can reasonably guarantee that priests in the future will not engage in sexual abuse of minors, anymore than society at large can guarantee that sexual abuse of minors can be completely eliminated. We believe that to imply or state otherwise as you have is misleading to the public and the Catholic community. It is just such a position that has come back to haunt many an organization that believed the risk was gone. Although one may hope that your sentiments prove accurate, prudence dictates that the opposite is much more likely. Not only must strong policies be in place to prevent and respond to any abuse claims, but organizations must maintain an attitude of vigilance that recognizes that child molesters can and often do exploit complacency.

Collaterally, we note that you have publicly repeated several times that these incidents are 30-50 years old as if to suggest that the problem was resolved long ago. That is not accurate. The case review board dealt with allegations that date at least into the 1980s. In fact, the case that led to the formation of the original Blue Ribbon Committee took place in the late 1980s.

We are especially concerned about the independence of the new entity you are creating. What was unique about this case review board as compared to the previous policy and case review boards was its independence. It is our observation that this independence was troubling to the Archdiocese as reflected in the reluctance to accept and publish our report. We believe that not only should members be selected with specific attention to their ability to objectively evaluate policies and individual cases, but that there be mechanisms in place to insure that disagreements or potentially unfavorable analyses of Archdiocesan actions are not suppressed. We think you would agree that the credibility of any board established under the Dallas Charter to review allegations of child abuse is critical to its function.

With reference to our report, we believe it is necessary for the faithful and the greater community that we respond to your public comments about our report. With gratitude for publishing the report and your acceptance of the bulk of its recommendations, we note that your decision to publish was made only after receipt of our September 16, 2004, letter wherein we threatened to resign if you did not publish it. Prior to that you disputed our authority to produce a report and, in fact, attempted to persuade us to accept a significant rewrite of the report by your staff - which we declined to do.

In your response you acknowledged the validity of most of the recommendations but indicated that they had already been implemented. Please know that during the more than 18 months of our existence, we did not see evidence of such implementation. We would not have made these recommendations if we had. We recognize the possibility that during the six months since you received our report you may have implemented many of these policies and practices.

Before addressing our policy recommendations we wish to make a point about your decision not to follow our recommendation to release the names of the priests the case review board determined had abused minors until the Vatican acts. You have cited concerns about the risk of possible procedural problems under canon law and compromised confidentiality that might accrue if there was premature disclosure. However, we know that other dioceses have released the names before the Vatican has acted. We strongly believe that this information should be released now because the faith community needs to know. For victims there is a measure of justice and accountability with public awareness of offending priests. Such disclosure also helps to lift the pall of suspicion currently hanging over the many, many good priests who have not been accused nor suspected of any impropriety. In addition, the prompt release of the names of offending priests by the Chancery may have a deterrent effect on priests who might be tempted in the future. Most importantly, the names should be released for parents. They need to know that their children are safe. They will be consoled to know which priests are barred from the ministry. It will be much harder for those offending priests who do practice their ministry, even though barred, to do so because the entire church community will know and can inform the Chancery if there is a barred priest involved in a ministry.

This is not an entirely academic discussion because a Review Board member was in the congregation of a liturgy that included the active participation of a priest whom you earlier indicated had been barred from the ministry. This matter was one of the thirteen cases we reviewed and, although not sustained because of a fluke of canon law, we found this priest's behavior egregious and strongly recommended that he be removed from the ministry and his name published. Therefore, we ask that you reconsider your decision to not release the names until the Vatican has acted.

We also remain deeply concerned about allegations against members of religious orders. In our view, there should be no difference between how allegations against religious and diocesan clergy are handled. Yet there have been allegations against members of religious orders over the years, and even more recently, that have been treated differently by the Church. We still do not know what happened in those cases, what provisions for safety have been

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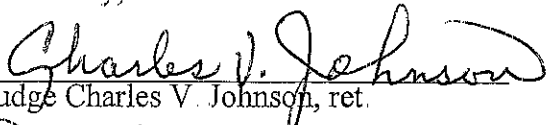
instituted and whether the names of those offending religious clergy members will be published in the same manner as diocesan clergy.

You take issue with those sections of our report that are entitled 'zero tolerance' and a 'reflection on why' and favorably reference the report of the National Review Board. We welcome that suggestion since it is our opinion that many of our observations and recommendations parallel the views of the National Board. In some instances (e.g., the role of the laity), the National Report is much stronger than our position. We do not agree with your inference that the National Report is somehow more balanced than ours and invite the community to make up its own mind.

Finally, we made a number of specific recommendations with regard to Archdiocesan policy that you indicated in your response to our report would be addressed by the policy review board. Now that you have disbanded not only this case review board but the existing policy review board and plan to create a new entity, we are concerned that a newly constituted board will not have the history or independence to fairly evaluate our recommendations. We are especially concerned because your position is that all of the issues have already been remedied. We believe that this new entity should include members who were on the previous policy and case review boards, as well as the outgoing chair of the case review board.

We recognize that this has been a difficult and sometimes contentious process. It is, however, our hope that our observations and comments will be taken in the spirit intended. We are dedicated to assisting the Catholic Church in its efforts to remove the scourge of sexual abuse by priests and others acting under cover of the church. Thank you for your continued and sincere efforts to serve the faithful of the Archdiocese of Seattle in addressing this most serious issue.

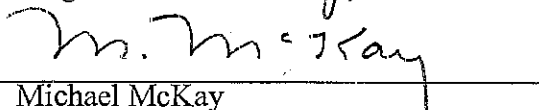
Yours truly,



Judge Charles V. Johnson, ret.



Judge Terrence A. Carroll, ret



Michael McKay



Lucy Berliner



Dr. Ellen Hervey McAtee, Ph.D.



Dr. Robert Wheeler, Ph.D.