

## PRESS RELEASE

**RE: SEXUAL ABUSE CLAIMS INVOLVING THE ARCHDIOCESE OF DUBUQUE**

**APRIL 10, 2008**

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Lawyers Thomas Staack and Chad Swanson of Dutton, Braun, Staack & Hellman, P.L.C. in Waterloo announce the resolution of 18 sexual abuse claims against the Archdiocese of Dubuque. A private mediation session took place on March 6 and 7, 2008 in Dubuque, and discussions regarding resolution continued following the mediation through the end of March. A consensus was reached between the parties during the week of March 24<sup>th</sup>. Archbishop Jerome Hanus and Vicar General James Barta personally participated in the mediation process in Dubuque. Archbishop Hanus met with one of the survivors as part of the mediation process to listen in person to his experience. Others in this group will be meeting personally with Archbishop Hanus in the future.

**Members of this group of Claimants have indicated that it is their hope, through this announcement, that others who may be struggling with the pain and shame of clergy abuse will find the courage and strength to come forward.**

With respect to these 18 individuals, no lawsuits were publicly filed against the Archdiocese. Rather, these individuals, through their lawyers, approached the Archdiocese with the details of the abuse they suffered. Each individual provided written information to the Archdiocese, underwent questioning under oath, and underwent two psychological evaluations.

Highlights of the settlement for this group are as follows:

**Non-Economic Issues:**

1. The Archdiocese shall continue to post on its diocesan website the names of all clergy accused of sexual abuse of minors when such accusations have been proven in a court of law, found to be true through a criminal investigation, ruled by the Archdiocese of Dubuque Review Board for the Protection of Minors to be “sustained” after an outside non-criminal investigation, or admitted by the person in connection with the settlement of a civil lawsuit. All clergy accused of sexual abuse of minors whose conduct is the basis for a lawsuit against the Archdiocese will also be listed. No person will be listed if the information comes only from medical reports (which are governed by civil law restrictions – HIPAA, etc.) or from the Sacrament of Penance.
2. The Table of Accused Priests, as updated in accordance with this Memorandum of Understanding, shall be posted on the Archdiocese of Dubuque Website until at least July 1, 2017.
  - a. The Archdiocese shall update the Table of Accused Priests, currently dated July 12, 2007, to include John T. Reed, and it shall note that the earliest claimed abuse by John T. Reed occurred in the 1960s. The Table shall also reflect that one claim was resolved in mediation in March 2008.
  - b. Notwithstanding paragraph 1.b. above, the Archdiocese shall update the web page which includes the Table of Accused Priests, currently dated July 12, 2007, in the following manner:

A paragraph will be added indicating that an accusation was made against Father Louis E. Wendling by a female who claimed she was abused in 1947 when she was a minor. The claim was mediated and settled in March 2008. The Archdiocese reviewed all the information developed by the Archdiocesan counsel and the counsel for the plaintiff making this claim against Father Wendling. After receiving the advice of the Archdiocesan Review Board, Archbishop Hanus decided that the allegation had not been substantiated.

This information shall be located immediately below the Table of Accused Priests where the discussion of Father Fitzgerald and Father Cigrand is contained.
  - c. The Archdiocese shall update the Table of Accused Priests, currently dated July 12, 2007, to note that the earliest claimed abuse by Robert J. Saunders occurred in the 1950s. The Table shall also reflect that multiple claims were resolved in mediation in March 2008.

- d. The Archdiocese shall update the Table of Accused Priests, currently dated July 12, 2007, to note with respect to Robert W. Swift, Timothy L. DeVenney, Allen M. Schmitt, Robert J. Reiss, Albert L. Carmen, and William A. Goltz, that an additional claim (or claims as appropriate) were resolved in mediation in March 2008.
3. The Archdiocese will continue to publish a minimum of two times per year a statement urging victims of sexual abuse by “church personnel” to come forward and contact law enforcement or the Archdiocese.
4. The Archdiocese will allow any of the individuals represented by Dutton, Braun, Staack & Hellman, P.L.C. who is a victim of sexual abuse the opportunity to speak at their home parish if that parish is within The Archdiocese of Dubuque or in the parish where they were abused following a Sunday Mass.
5. Archbishop Hanus will send private written correspondence to each Claimant and he shall cause a written public apology to be released to the media no later than April 26, 2008, expressing and offering support for the Claimants and their families, and for all other survivors of sexual abuse perpetrated by Archdiocesan church personnel.
6. Each Claimant shall be granted a private interview with Archbishop Hanus at any time in the future should they choose to want such a meeting to occur.
7. As it relates to Father John Reed and Father Robert Saunders, and as it relates to each priest whose name now appears on the Table of Accused Priests as a result of the 2007 mediation, the Archdiocese will permanently remove all photographs, names and other depictions of such priests from public display in all Archdiocesan facilities, including but not limited to all parishes within the Archdiocese, and the Archdiocesan headquarters, and will request their removal from Loras College.
8. The total amount of the settlement shall not be confidential, although the Archdiocese shall not release the name of any Claimant whose lawsuit or claim has been settled. In addition, the Archdiocese may not demand confidentiality of any Claimant as a condition of settlement.

**Economic issues:**

1. The Archdiocese will pay the sum of **\$4,700,000** in cash.
2. The Archdiocese will allow each Claimant (and the spouse of each Claimant) the opportunity to start or continue therapy or counseling with a therapist, counselor, psychiatrist or psychologist of each Claimant’s or spouse’s choosing, and the full but reasonable cost for up to twelve (12) therapy or counseling sessions shall be paid

for directly by the Archdiocese (provided that such therapy or counseling sessions take place on or before December 31, 2008) without the Claimant or spouse having to submit such charges to any health insurance carrier.

In exchange for these terms, each of the 18 Claimants has entered into a settlement and release agreement with the Archdiocese and each will promise as part of those agreements not to pursue a lawsuit against the Archdiocese.

The claims settled include claimed sexual abuse involving the following priests who were affiliated in some fashion with the following parishes or assignments at the following times (although this does not necessarily mean that a parishioner from that particular parish was abused, but rather that this was the priest's assignment at the time one or more acts of abuse took place):

<u>Priest</u>	<u>Location</u>	<u>Approximate Dates of Abuse</u>
Robert Swift	Holy Family, New Melleray	1960-1962
	St. Joseph, St. Joseph Prairie	
Timothy DeVenney	St. Columbkille's Dubuque	1994-1996
Robert Saunders	St. Peter's Temple Hill	1959-1969
	St. Michael's Norway	1969-1973
William Goltz	St. Ludmila's Cedar Rapids	1966
Robert Reiss	Holy Trinity Luxemburg	1966
Allen Schmitt	Sacred Heart Waterloo	1975

Albert Carman	Loras College Dubuque	1965-1966
John Reed	St. Mary's Dubuque	1963-1964
Louis Wendling	Mt. Mercy College Cedar Rapids	1947

The listing of assignments for those priests whose names have been added to the Table of Accused Priests since July 2007 or whose names will be added to the Table of Accused Priests now are included at the end of this Release. The Table can be found by accessing the Archdiocese website at: <http://www.arch.pvt.k12.ia.us/Protection/index.html>.

The attorneys will not discuss or share with the media how the settlement proceeds will be divided between the 18 different clients, but it will be distributed on an equitable basis based primarily on the nature of the sexual abuse, the extent of the sexual abuse, and the impact that the abuse has had on the lives of the survivors. On an “average per person” basis, the settlement is generally consistent with the prior two global settlements announced in February 2006 and March 2007. The average for this group is \$261,111 per Claimant. On an average per person, it is higher than the global settlement reached with the Archdiocese in February 2006, which was \$250,000 on average per person.

Since June 2004, attorneys Staack and Swanson and their Firm have represented 47 different individuals who have pursued either lawsuits or claims against the Archdiocese. Each of these lawsuits or claims has been resolved directly with the Archdiocese without proceeding to trial. Cumulatively, these claims have been resolved over the past three years for a total of \$12,300,000.

The settlement is significant and the amount of money included in the settlement

may appear substantial, but on a per person basis, it will never be sufficient to compensate these Claimants for all of the years of living with the shame, embarrassment, and stigma of the abuse. The injuries to this group of survivors cannot be overstated. It has been significant to each and every survivor in his or her own way.

Rather than focus solely on the lump sum or per person payment made to this group of survivors, it is more important for the public and those within the Catholic Church in the Archdiocese of Dubuque to see that the Archdiocese is being held accountable to take steps to start and promote the healing process for these individuals. This includes guaranteed counseling for each survivor and their spouse, a private letter of apology, the continued ability to speak out about their experiences, and certain other assurances made to this group of survivors that the Archdiocese is taking steps and will continue to take steps to reduce or eliminate the risk that such conduct involving church personnel will ever again occur within the boundaries of the Archdiocese of Dubuque. It is very important to this group of survivors to know that their decision to come forward has made the Catholic churches within the Archdiocese a safer place for children to be.

Since February 2006, we have told the media in the wake of the prior two settlement announcements that we did not know whether other survivors would choose to come forward in light of that resolution. Now, with nearly 50 survivors having come forward with claims over the last several years, and 18 coming forward within the last year, we must conclude yet again that we have yet to write the final chapter to this sad history of the Archdiocese.

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Listing of assignments for those individuals whose names we added to the Table of Accused Priests since July 12, 2007 or whose names have been added to the Table of Accused Priests in any fashion as a result of the March 2008 settlement agreement:

**Robert J. Saunders (added to the Table of Accused Priests 7/12/07):**

Born: March 18, 1915  
Ordained: June 7, 1941  
Died: July 4, 2007

Assistant – Manly	8/27/41 - 6/13/42
Farley	6/13/42 - 7/1/43
Loras Academy	7/1/43 - 7/1/47
Assistant – Alta Vista	7/1/47 - 9/1/47
Assistant – St. Joseph’s, Mason City	9/1/47 - 9/27/48
Assistant – St. Joseph’s, New Hampton	9/27/48 - 12/14/49
Pastor – Garber	12/14/49 - 12/9/54
Pastor – Temple Hill	12/9/54 - 7/8/69
Norway	7/8/69 - 2/10/86
Retired	2/10/86

**John T. Reed (added to the Table of Accused Priests on or about April 10, 2008):**

Born: August 23, 1923  
Ordained: May 26, 1949  
Died: April 16, 1976

Assistant – Holy Family, Mason City	7/5/49 - 8/9/56
Assistant – St. Matthew, Cedar Rapids	8/6/56 - 8/26/60
Assistant – St. Mary, Dubuque	8/26/60 - 1/4/63
Sick leave	1/4/63 - 8/11/64
Faculty, Regis High, Cedar Rapids	8/11/64 - 1/28/65
Assistant – IC, Elma & St. Patrick, St. Cecelia	1/26/65 - 1969
Sick leave	1969 - 1976

**Louis E. Wendling (added below the Table of Accused Priests on or about April 10, 2008):**

Born: September 26, 1912

Ordained: June 3, 1939  
Died: September 25, 1969

Assistant – St. Joseph, Bellevue	7/39 - 4/4/44
Chaplain, United States Navy	4/4/44 - 8/26/46
Assistant – Sacred Heart, Dubuque	9/30/46 - 7/1/47
Chaplain, Mt. Mercy College, Cedar Rapids	7/1/47 - 8/22/51
Pastor – St. Stephen, Central City	8/22/51 - 3/1/54
Pastor – Sacred Heart, Walker and St. Mary, Urbana	3/1/54 - 6/26/58
Pastor – IC, North Washington	6/26/58 - 8/10/66
Pastor – St. Joseph, Key West	8/10/66 - 9/25/69