



DIOCESE OF JUNEAU, ALASKA
OFFICE OF THE BISHOP

August 21, 2019

Dear Brothers and Sisters in Christ,

I am writing you today to report on the work of the Independent Commission's review of the personnel files of the Diocese of Juneau. I established the Independent Commission last December as a significant part of my commitment to protect children and the most vulnerable in our Church and to stand in solidarity with victim-survivors of clerical sexual abuse and their families.

To the survivors of clerical sexual abuse, I want to say that there are no words that can restore the innocence that was cruelly and unjustly stolen from you when you were a child or an adolescent. That your trust was betrayed by a priest or other minister of the Church whom you had a right to expect would protect you compounded the harm done to you. It is with humility, sorrow and shame, that I apologize to you, your family, friends and community in the name of the Church for the grievous harm you suffered.

If you have been sexually abused by a bishop, priest, deacon or other representative of the Church and have not yet reported the abuse, please consider disclosing what happened to you. The best way to do so is to report it to your local law enforcement. You may also contact the Diocesan Victim Assistance Coordinator, Robbie Izzard, at 586-2227 x 25 or vac@dioceseofjuneau.org and we will report it to local law enforcement and do our best to help you.

After the shocking revelations from the grand jury report in Pennsylvania last summer, together with the revelations of sexual abuse by the former Cardinal Theodore McCarrick, and after conducting ten listening sessions in our diocese last autumn, it became clear to me that we needed to take a good, hard look at our own small diocese. Consequently, on December 11th of last year, I established an Independent Commission to review all of our personnel files going back to the beginning of the Juneau diocese in 1951.

I wanted a truly *independent* commission, one that would be free from influence from me or anyone else, and have full and unfettered access to all diocesan personnel files. I turned to three highly qualified and respected members of our southeast Alaska community to do this review; retired Juneau police Lieutenant Kris Sell, retired Judge Patricia Collins and retired Judge Thomas Schulz. Early in the review process, the two judges were unable to continue to serve for personal reasons and they were replaced with two equally qualified and respected retired judges; Keith Levy and Thomas Nave.

The Independent Commission worked diligently and professionally. They have completed their review of all of the personnel files in possession of the Diocese of Juneau in the archives and in the Chancery office. I am deeply grateful to all five members, and you have my sincerest thanks.

The Independent Commission has determined that there is credible evidence to support the belief that 7 people (6 priests and 1 Religious Brother) who have served in the Diocese of Juneau since 1951 engaged in sexual misconduct against *minors and vulnerable adults*. I am releasing those names today.

The list of names, together with 1) the Standard to Determine Sexual Misconduct, 2) the Standard to Determine Credible Evidence, 3) the Definition of a Minor, and 4) the Definition of a Vulnerable Adult, are attached to this letter. The list and the standards have been reviewed by the Diocesan Review Board.

The Diocese is aware that there may be other instances of sexual misconduct against *minors and vulnerable adults* that have not been identified in the Commission's review or that were never reported. If additional information becomes available the list will be updated. If additional personnel files containing allegations of sexual misconduct are discovered, they will be reviewed by the Independent Commission or its successor.

The work of the Independent Commission has been an effort to uncover the truth. The truth is important and necessary if there is ever to be healing for victim-survivors and for our Church. The Diocese of Juneau is committed to the safety of all people with special attention and care for minors and vulnerable adults.

Respectfully and sincerely in Christ,

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Most Reverend Andrew E. Bellisario, C.M.
Bishop of Juneau



DIOCESE OF JUNEAU, ALASKA
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August 21, 2019

DIOCESE OF JUNEAU CREDIBLE EVIDENCE OF SEXUAL MISCONDUCT

On December 11, 2018, I issued a Decree establishing an Independent Commission which was charged to review the files in the possession of the Diocese of Juneau of all ordained ministers and religious men and women who have acted on behalf of the Diocese since its establishment in 1951, and of all other representatives of the Diocese, including lay employees and volunteers, against whom allegations of sexual misconduct have been made. The Commission was charged with evaluating all allegations of sexual misconduct to determine whether there was credible evidence to support the belief that any of them had engaged in sexual misconduct, as well as an accounting of improper handling of any sexual abuse cases by those in authority and recommended improvements. The decree states that the Bishop will publish the names of all who have acted on behalf of the Diocese of Juneau and against whom allegations of sexual misconduct *involving minors and vulnerable adults* have been supported by credible evidence.

1. Standard to Determine Sexual Misconduct

The Decree defines “sexual misconduct” to mean “any sexually related conduct that is unlawful under the laws of the State of Alaska or of the United States of America, or the canon law of the Catholic Church, including the particular law of the Diocese”.

2. Standard to Determine Credible Evidence

The decree directs the commission to determine if there is “credible evidence” to support the belief that sexual misconduct occurred. The commission members interpreted this provision by applying a “probable cause” standard. This is the standard used by judges and others involved in the criminal justice system to determine whether there is sufficient basis to issue a search warrant, to arrest an individual, or to charge an individual with a crime. It does not require a finding of proof “beyond a reasonable doubt,” which is a much higher level of proof that would be required to make a finding that person is guilty of a crime. Rather, probable cause requires a finding that there is a reasonable basis for believing that the alleged event occurred.

3. Definition of a Minor

Any person under the age of 18.

4. Definition of a Vulnerable Person

According to the Holy See, a vulnerable person is anyone who is infirm or suffering from a physical or psychiatric deficiency, is not able to exercise personal freedom even on occasion, and has a limited capacity to understand or resist the crime.

5. Names of those who have served in the Diocese of Juneau who have been determined by the Independent Commission to have credible evidence of sexual misconduct involving minors and vulnerable adults (The names are listed in alphabetical order.)

Name of Priest or Religious	Affiliated Diocese or Religious Order or Community	Status	Assignments in the Diocese of Juneau	Allegation(s) while serving in the Diocese of Juneau
Francis A. Cowgill	Diocese of Juneau. After 1966, Archdiocese of Anchorage	Deceased 2000	<u>Pius X School</u> , Skagway, 1952-1959 <u>Sacred Heart Church</u> , Haines, 1952-1959 <u>Holy Family Cathedral</u> , Anchorage, 1959-1964 <u>St. Mary Church</u> , Kodiak, 1964-1966	Sexual misconduct involving minors 1956-1964
Javier Gutierrez	Diocese of Juneau From 1989, Served in the Diocese of Tijuana, Mexico. Incardinated into the Diocese of Tijuana, Mexico in 1994.	Dismissed from the clerical state 2018	<u>Cathedral of the Nativity of the Blessed Virgin Mary</u> , Juneau, 1982-1984 <u>Holy Name Church</u> , Ketchikan, 1984-1986 <u>Cathedral of the Nativity of the Blessed Virgin Mary</u> , Juneau, 1986 <u>St. Peter's Church</u> , Douglas, 1986 <u>St. Therese of the Child Jesus Church</u> , Skagway and <u>Sacred Heart Church</u> , Haines, 1986-1988	Sexual misconduct involving minors and vulnerable adults 1980's
Patrick Hurley	Order of St. Benedict	Returned to his religious order in 1985	<u>Holy Name Church</u> , Ketchikan, 1983 <u>Cathedral of the Nativity of the Blessed Virgin Mary</u> , Juneau, 1984-1985 <u>St. Therese of the Child Jesus Church</u> , Skagway, 1984-1985	Sexual misconduct involving minors 1984-1985

Name of Priest or Religious	Affiliated Diocese or Religious Order or Community	Status	Assignments in the Diocese of Juneau	Allegation(s) while serving in the Diocese of Juneau
Michael Nash	Diocese of Juneau	Dismissed from the clerical state 2005 Deceased 2019	<u>Director of Vocations</u> 1980-1995 <u>St. Paul's Church</u> , Juneau, 1980-1982 <u>Holy Name Church</u> , Ketchikan, 1982-1983 <u>St. John's Mission</u> , Klawock, 1982-1988 <u>St. Catherine of Siena Church</u> , Petersburg, 1988-1996 <u>Diocesan Administrator</u> , Juneau, 1995-1996 <u>The American College at Louvain</u> , Belgium, 1997-1999 <u>Cathedral of the Nativity of the Blessed Virgin Mary</u> , Juneau, 1999-2002	Sexual misconduct involving minors 1979-1982
Edmund Penisten	Diocese of Juneau	Administrative Leave 2019	<u>Holy Name Church</u> , Ketchikan, 2002 <u>St. John by the Sea</u> , Klawock, 2003 <u>St. Therese of the Child Jesus Church</u> , Skagway and <u>Sacred Heart Church</u> , Haines, 2004-2007 <u>Holy Name Church</u> , Ketchikan, 2007-2010 <u>St. Gregory Nazianzen</u> , Sitka, 2010 <u>Northern Missions</u> (resided in Juneau) 2011-2014 <u>St. John by the Sea</u> , Klawock, 2015-2019	Sexual misconduct by viewing child pornography, 2010
Frederick Raehsler	Brothers of Holy Cross	Returned to his religious community in 1993	Resided in Skagway 1988-1993 No official assignment from the Diocese of Juneau Appointed by the bishop to serve as a Eucharistic Minister for <u>St. Therese of the Child Jesus Church</u> . Served on the Parish Council	Sexual misconduct involving a minor, 1988-1993

Name of Priest or Religious	Affiliated Diocese or Religious Order or Community	Status	Assignments in the Diocese of Juneau	Allegation(s) while serving in the Diocese of Juneau
Henry Leo Sweeney	Diocese of Juneau	Deceased 1959	<u>St. Gregory Church</u> , Sitka, 1951 <u>Holy Name Church</u> , Ketchikan, 1953-1956	Convicted of assault with intent to rape and contributing to delinquency of a minor in 1952. Served time in federal prison and then returned to active ministry.

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