DIOCESE of TULSA
and Eastern Oklahoma

12300 E. 91st St. So., Broken Arrow, OK 74012
P.O. Box 690240, Tulsa, OK 74169-0240

FOR IMMEDIATE RELEASE

5/22/18

On May 21, the Diocese of Tulsa and Eastern Oklahoma ("Diocese") was made aware of criminal charges filed in Evanston, Illinois, against Kenneth Lewis, who was arrested on May 9, 2018 and is currently free on bond. The charges stem from an allegation of sexual misconduct that took place in 2001 in Evanston, while Lewis was a priest of the Diocese of Tulsa.

With a spirit of transparency, Bishop Slattery detailed his handling of Lewis for his alleged abuses against minors in an article in the *Eastern Oklahoma Catholic* entitled "Bishop: I apologize from the bottom of my heart" (Aug. 4, 2002). In the article, Bishop Slattery stated that the Diocese received a complaint against Fr. Lewis in 1994, which led to his removal from ministry and an investigation. The investigation revealed concerns about "over familiarity and a failure to recognize acceptable boundaries." Fr. Lewis was "sent to a nationally recognized psychiatric treatment facility," and, after undergoing treatment, was returned to ministry in 1995 with specified guidelines, including directives to not be alone with minors and the establishment of a team to monitor his compliance.

In 2002, after attending the historic meeting of Catholic bishops in Dallas to address the sex abuse crisis in the Church, Bishop Slattery ordered an internal investigation according to canon law to reexamine the concerns that surfaced from the 1994 allegation and subsequent investigation. At that time, Fr. Lewis resigned from active ministry and was barred from engaging in any public ministry as a priest. In August of that year, Bishop Slattery released a comprehensive 12-page insert to the *Eastern Oklahoma Catholic* chronicling how decisions regarding Lewis were made, entitled "Seeking the Light: The Diocese responds to public allegations of the sexual abuse of minors by priests" (Aug. 18, 2002). These articles are available on the diocesan website, www.dioceseoftulsa.org, or by request.

In 2004, while the internal proceedings that ultimately led to Fr. Lewis being dismissed from the priesthood were already underway, the Diocese was first made aware of the allegation of the 2001 sexual misconduct in Evanston. At that time, the internal investigation was stopped in deference to civil authorities. After the civil authorities in Illinois declined to file criminal charges against Lewis, the internal proceedings resumed, which resulted in Lewis being dismissed from the priesthood (laicized) in 2007. Lewis is no longer associated with the Diocese of Tulsa.

The Diocese is committed to our children and to full cooperation with civil authorities. As Bishop David Konderla stated in his June 30, 2016 letter promulgating the new *Policies & Procedures for the Protection of Children and Young People* ("Policies"), "the Diocese of Tulsa continues to make every effort to ensure it employs the best practices in establishing a safe environment throughout the diocese."

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Through structures of support and accountability, the Policies help establish a child-centered culture of safety and responsibility in every Catholic parish and school. Our efforts in child and youth protection include comprehensive safe environment training for all employees and volunteers, detailed and transparent procedures on addressing allegations, and a code of ethics that articulates clear moral standards for all who work with children. The Policies are available in English and Spanish and are posted on the diocesan website.

In addition, the Diocese employs a full-time Director of Child & Youth Protection who, through a series of support visits and ongoing assistance, helps ensure our parishes and schools are providing the safest environment for the children under our care.

If you have further questions, please contact Mr. Dave Crenshaw, Director of Communications of the Roman Catholic Diocese of Tulsa & Eastern Oklahoma at 918-307-4920 and dcrenshaw@dioceseoftulsa.org.

End of Press Release

Edward J. Slattery Bishop of Tulsa

Bishop: 'I apologize from the bottom of my heart'

In October of 1994 someone came to me with an allegation of misconduct by Father Kenneth Lewis, who was then the associate pastor of the Church of Saint Mary in Tulsa. Because of that allegation accusing Father Lewis of inappropriate behavior with an adolescent boy, I immediately relieved Father Lewis of his duties at Saint Mary's. In accordance with Diocesan policy, I also ordered a thorough investigation by the Diocesan Pastoral Team, which was chaired by Dr. Edward Maillet. As a result of the investigation, we discovered that there had been several incidents of questionable behavior with young boys, including over-familiarity and a failure to recognize acceptable boundaries.

Also in accordance with Diocesan policy, Father Lewis was sent to a nationally recognized psychiatric treatment facility for evaluation. Following Father Lewis' return from this evaluation, we sought the help of professional advisors, and we relied upon their advice in dealing with the situation. After much discussion with Father Lewis, and after I was certain that he understood and accepted the conditions which I imposed, I brought him back into active ministry as an associate pastor at Holy Family Cathedral.

Following his assignment at Holy Family Cathedral, Father Lewis served simultaneously as pastor of three separate parishes: Sacred Heart Church in Fairfax, Saint Joseph Church in Cleveland and Saint John Church in Pawnee. In May of 1997, I asked him to assume the pastorate of Saint Joseph Church in Hominy in place of the parish in Pawnee.

In June of 2001, he was appointed pastor of Saint John's Church in McAlester, with pastoral responsibilities for the parishes in Krebs, Eufaula and Pittsburg. During that time, he also was the chaplain at the Oklahoma State Penitentiary in McAlester.

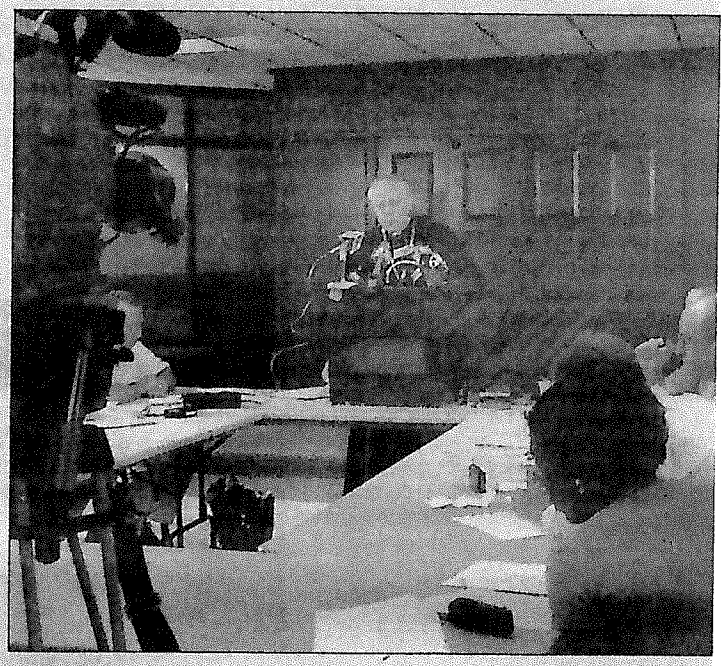
Following my most recent meeting with the family concerning the 1994 allegation, and in light of the climate leading up to the bishops' June meeting in Dallas, I determined to investigate this matter again in the context of a formal investigation under procedures provided for by Canon Law of the Catholic Church. During this canonical investigation, new information was brought to our attention by a young adult who had been a minor at the Church of Saint Mary while Father Lewis was the associate pastor.

The new information that we learned of this past June consisted of additional incidents of disturbing behavior and the exercise of poor judgment on Father Lewis' part during the time when he was the associate pastor at the Church of Saint Mary. However, neither these new facts, nor this additional information taken together with what I previously knew, revealed anything that would have allowed me to take penal action under Canon Law. In addition, when I had all the information at hand reviewed by our Diocesan attorney, his advice to me was that the facts did not appear to show any act which would have violated Oklahoma statutes.

However, it was clear to me that Father Lewis' continued active ministry as a priest had been seriously compromised. During my conversations with him to determine his future, Father Lewis decided to resign his position as pastor of Saint John Church in McAlester and depart the active ministry.

I know that both Diocesan policy and the laws of the state of Oklahoma require that acts of sexual abuse of minors, as well as any other forms of abuse, must be reported to the civil authorities. I was as aware of that in 1994 as I am today; however, neither the facts presented to me in 1994 nor the facts that were uncovered in my investigation this past June established anything further than the clearly inappropriate conduct of Father Lewis. At no time was it established that Father Lewis had committed any act that falls within the category of a reportable offense. In dealing with this - or any situation - I can only act upon those facts that are available to me.

However, I want to make clear that it has always been the policy of the Diocese of Tulsa to encourage anyone who has information alleging misconduct by a person who holds a position of trust to report that information to the civil authorities. Let me state again, that if there is anyone who has any information which we do not have concerning misconduct by this priest, or any other representative of the Church here in the Diocese of Tulsa, we encourage them to come forward and share that information with us and with the appropriate civil authorities. And I pledge, as I have pledged in the past, that we will cooperate openly and fully in any inquiry or civil investigation that may be conducted.



Bishop Slattery meets with press at Holy Family. (Pho by Dianne Bileck)

It is important to remember here that Father Lewis has not been charged with anything by the authorities. But having said that, let me add that if I had the information then that I have now, I would not have allowed Father Lewis to return to active ministry in 1995. That was a mistake, but let me emphasize that we know of no misconduct that may have occurred since his return to active ministry. Even so, I now believe that I should never have placed Father Lewis in any position that might have placed any young person at risk. I trusted the recommendations of the professionals at my disposal, and I take responsibility for not having correctly read all the signs of Father Lewis' inappropriate behavior.

Regrettably, I cannot change that which has been done. I can only offer to help the families and children who have experienced or may experience any form of abuse or other inappropriate behavior by any priest, deacon, employee or volunteer of the Diocese, our parishes or institutions. And in fact we have offered assistance in the most appropriate manner we know how to persons who have suffered injury. And we have done this without making it an issue of fault or culpability.

I can only hope and pray that any families and any boys - now young men - who may have been harmed by Father Lewis can find a way to forgive me if what I have done is not adequate. To you I apologize from the bottom of my heart.

I also apologize for my shortcomings to all of the Catholics of Eastern Oklahoma, to the priests and the lay faithful, especially parents and their children, and I ask God's forgiveness for my sins. I ask that you pray for me as I continue to work with the many wonderful priests of our Diocese in proclaiming and living the Gospel of Jesus.

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A Special Insert for the
Eastern Oklahoma Catholic

Bishop Edward Slattery

"I want you to be able to judge for yourselves whether my actions were sufficient – given what we knew and when we knew it."

Seeking the Light

The Diocese responds to public allegations of the sexual abuse of minors by priests

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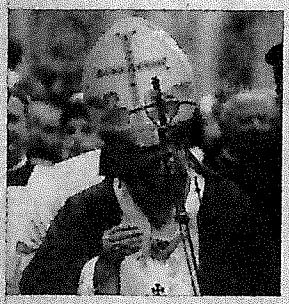
Excerpts from

Pope John Paul's World Youth Day address to Young People

Salt seasons and improves the flavor of food. Following Jesus, you have to change



and improve the "taste" of human history. With your faith, hope and love, with your intelligence, courage and perseverance, you have to humanize the world we live in, in the way that today's reading from Isaiah indicates: *"Loose the bonds of injustice ... share your bread with the hungry ... remove the pointing of the finger, the speaking of evil. ... Then your light shall rise in the darkness"* (Is 58:6-10).

Even a tiny flame lifts the heavy lid of night. How much more light will you make, all together, if you bond as one in the communion of the church! If you love Jesus, love the church! Do not be discouraged by the sins and failings of some of her members.

The harm done by some priests and religious to the young and vulnerable fills us all with a deep sense of sadness and shame. But think of the vast majority of dedicated and generous priests and religious whose only wish is to serve and do good!

There are many priests, seminarians and consecrated persons here today; be close to them and support them! And if, *in the depths of your hearts*, you feel the same call to the priesthood or consecrated life, do not be afraid to follow Christ on the royal road of the cross!

At difficult moments in the church's life, the pursuit of holiness becomes even more urgent. And holiness is not a question of age; it is a matter of living in the Holy Spirit, just as Kateri Tekakwitha and so many other young people have done.

You are young, and the pope is old and a bit tired. But he still fully identifies with your hopes and aspirations. Although I have lived through much darkness, under harsh totalitarian regimes, I have seen enough evidence to be unshakably convinced that no difficulty, no fear is so great that it can completely suffocate the hope that springs eternal in the hearts of the young. Do not let that hope die! Stake your lives on it!

A time for Candor In the Church

by Bishop Edward Slattery

It causes me great sorrow and pain to realize that over the years, throughout out nation, children and minors have been sexually abused. I react to this with the same outrage that you do, since we share the same understanding that in a society formed by the Gospel of Christ, it is the weakest and most vulnerable members of the family who deserve the greatest protection and support.

The numbers of children abused are staggering and the stories sicken me. I am told that just last year 12,000 cases of abuse and neglect were reported here in Oklahoma. And on Friday, August 9, it was reported that federal authorities broke up a child pornography ring in which parents sexually exploited their own children, videotaping the crime for profit.

The realization that some of the abuse committed in America against our children was perpetrated by our priests is an especially painful recognition for me. And I accept my share of the blame for not having been vigilant enough in safeguarding the multiple and complex ways in which children and minors interact within the structures of parish and diocesan life.

I will be more stringent in interpreting patterns of behavior, more vigilant in the ways I oversee diocesan offices, more accountable to you and to my priests, and more open; but also more demanding of you and of them. All of us must remember that we are equally bound by the moral laws of Christ. Marriages must be pure in their own way and married couples chaste in their marriages.

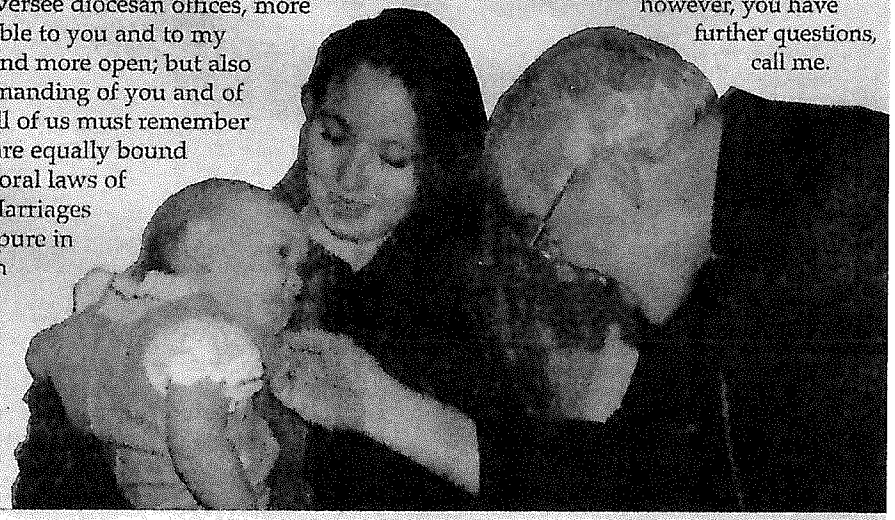
Single adults must be forthright and honest in their relations with others, and sexual promiscuity must be avoided by everyone if we are to foster a climate and a culture in which the innocence of youth is protected.

My heart has always been moved by the innocence and loving trust of children. Jesus Himself tells us that we must become 'like little children' if we wish to enter His Kingdom.

But because that innocence may have been compromised and that trust may have been abused here in the Diocese by the very men whom I assigned to your parishes to lead you to Christ, I feel obliged to share with you everything I knew and when I knew it. I want this open and forthright disclosure of the facts to be the essential first step in restoring the moral credibility of the Church.

If you do not believe us when we tell you we are doing everything we can to protect our children, how can you believe us when we tell you how to protect your souls from sin? Or how much God loves us, even the worst sinners among us?

I am certain that this insert will answer all your questions, and clarify the confusion caused by incomplete reporting. If, however, you have further questions, call me.



The Allegations concerning Fr. Lewis and the Chronology of the Diocesan Response

This chronology has been taken from the summary of an interview (June 2, 2002) between Fr. Michael Knipe and the parents of the alleged victim. It has been a edited for the EOC to preserve their privacy.

Fr. Kenneth Lewis was ordained at Holy Family Cathedral, Tulsa, on May 31, 1991. With him were ordained Father Jeff Polasek (pastor in Sallisaw), Father Mike Cashen (pastor in McAlester) and Stan Sloan, who has since left the priesthood.

Assigned to Tulsa's Church of St. Mary, Fr. Lewis assumed the normal duties of an associate pastor serving under Fr. Paul Eichhoff.

Background to the Incident

Two parents, parishioners of St. Mary Parish, intended to visit an older son in Germany. They hired Ms. Evelyn McMahon, a friend of their college aged daughter and a youth minister at the parish, to care for their son who at the time was a student at Monte Cassino Catholic School and whom they describe at age 12 as being a "golden child," that is, a boy who was never in trouble, happy, easy-going, idealistic and a good student.

The parents are very active Catholics, committed to their faith and active in the charismatic renewal.

In a June 2, 2002 interview with Fr. Michael Knipe, the mother *(who remains anonymous to protect her identity and the identity of her family)* recalls having certain "suspicions" about Fr. Lewis, feeling uncomfortable, for example, about how he hugged children. She also said that she had concerns about his sense of boundaries.

Though the parents counted a number of local priests as good family friends, the mother recalls that she and her husband did not feel close to Fr. Lewis. They also stated that they never invited him to their home and limited their relationship to seeing one another at Mass.

The Incident of November, 1993

The parents allege that on an unspecified Sunday night in November, 1993, because Ms. McMahon was combining her babysitting responsibilities with her responsibilities as a parish youth minister (at the Church of St. Mary) she had this family's 12 year old son with her.

Fr. Lewis came by and offered to take the boy out for something to eat, taking him home afterwards. Since this boy was younger than the high school students with whom she was working, Ms. McMahon agreed.

Fr. Lewis took his charge to a restaurant, later taking him on a private tour of the bell tower at Holy Family Cathedral, where the two of them carved their initials.

In recalling the details, the woman also alleges that Father Lewis told her son that this was "their secret," something not to be shared with anyone else and that should he became a priest, he could do the same. Fr. Lewis then drove the boy home and accompanied him inside.

After an unspecified amount of time, Father Lewis told the twelve-year old to get ready for bed. Fr. Lewis is alleged to have followed him upstairs to his bedroom where he lay down on the bed with the boy. It has not been made clear whether they were above or beneath the bedcovers.

It was at this point, recalled the mother, that Ms. McMahon returned home. The mother said that coming down the second floor hall-way, McMahon saw the priest and the boy in the bedroom, on the bed, with the lights out, while Lewis was massaging the boy's back under his pajama top. Fr. Lewis was also clothed.

In 2002 at a news conference, Fr. Lewis stated that this was "a joke to pretend we were asleep."

A Quick Summary of the Facts

- **In all three cases, the pattern is the same:**
  1. *Allegations are raised which the Diocese investigates immediately*
  2. *Based on the information available to the bishop at the time, appropriate action is taken*
  3. *Later, new allegations are raised; these too are carefully investigated*
  4. *The bishop takes new action consistent with whatever new information is known.*
- **The bishop's actions are in conformity with both canon and civil law.** *In addition he follows the Diocesan Sexual Abuse policy, first implemented in 1993 and revised in 2000. This policy will be revised again to bring it in line with the Bishops' National Charter.*
- **No charges at all - none - have been filed.**
- **Every allegation of abuse will be taken seriously.** *Parents need to be confident that the Bishop wants to safeguard the safety of each child.*
- **The Bishop and the Diocese will cooperate** *as completely as possible with the Police, the DHS or the DA in any investigation of alleged abuse.*

The first allegation is made

Neither the parents nor anyone else suggested in 1994 that anything other than a back rub occurred that Sunday night in November. But if all the parties involved in the incident equally attest to the fact of a boy's back being rubbed, it is in the *meaning* of that action, how each person *intended it*, and how each individual recalls his or her *reaction* to it that the participants differ.

In those differences can be discovered the roots of the present scandal and in the extent to which one person's recollection differs from the next, the reader can take the measure of how frustrating, how confusing, indeed how painful this incident has become for all involved.

The parents of the boy also express concern now that something further may have happened which has yet to be revealed by their son.

How McMahon remembers it.

Evelyn McMahon, who left the boy in Fr Lewis' care, has been reported as claiming that she was very upset and reported the incident to Fr. Eichhoff. McMahon is said to have claimed that Fr. Eichhoff promised that he "would take care of it." Some time later, according to reports, Eichhoff told the family that he "confronted" Fr. Lewis and that Lewis told him "nothing happened."

Ms. McMahon also stresses that she was beginning to recognize a pattern in Fr. Lewis's activity, his being alone with young boys, sometimes in his office, sometimes in the rectory or taking them for rides in his car.

Ms. McMahon was quoted in the *Dallas Morning News* (July 28, 2002) as saying that eleven months later (October of 1994) she wanted to report her suspicions directly to the bishop but was instead directed to one of his top aides.

McMahon has since corrected her statement, acknowledging that she did indeed speak with Bishop Slattery in 1994. It was immediately following her interview with the Bishop that he directed Dr. Maillet to investigate the charge according to the 1993 sexual abuse policy of the Diocese.

The diocese first heard of Ms. McMahon's allegation that Fr. Eichhoff threatened to fire her should

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Allegations against Fr. Lewis

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she persist in her allegation in the July 28th edition of the *Dallas Morning News*.

How the Diocese Responded

Ms. McMahon's October visit to the Bishop seems to have been precipitated by Fr. Lewis being named parish administrator while Fr. Eichhoff underwent intensive therapy for depression.

Upon conferring with Bishop Slattery, Dr. Maillet, a member of the Diocesan Pastoral Response Team, informed Fr. Patrick Gaalaas who was at the time Chancellor of the Diocese. Maillet and Gaalaas together with the Vicar General constituted the Diocesan Pastoral Team. (The Vicar General, Msgr. Dennis Dorney was not informed at this time as he was away on vacation.)

In all of this, Dr. Maillet acted in strict accordance with the Diocese' 1993 sexual abuse policy.

Together Ms.McMahon and Dr. Maillet visited the parents of the alleged victim who are described as being very upset and very angry. When asked at length about the incident and whether or not he was touched in any private places, the victim himself said "no."

A Second Incident

Dr. Maillet prepared a detailed referral summary of the conversation with the boy's parents for the Bishop, outlining various concerns about Fr. Lewis' interactions with young males.

In their investigation of the incident, Dr. Maillet and Fr. Gaalaas also visited with the father of another young man whom Evelyn observed sitting on Fr. Lewis' lap in the associate pastor's office. Lewis claims he was "comforting the boy who had just learned that his *(i.e. the young man's)* grandmother had died." As in the previous incident, Fr. Lewis was seen massaging the boy's back with his hand under the boy's shirt.

Father Gaalaas also interviewed the parents of other young men in the parish with whom Fr. Lewis had interacted. Gaalaas recalls in particular the strong reaction of one boy's father, which he described as "angry with him" for having brought Fr. Lewis' conduct into suspicion.

Ironically, this parent is the father of the young man who came forward in June of 2002 with further allegations regarding Fr. Lewis. These June 2002 allegations proved a critical factor in prompting the bishop's actions in July, 2002.

A Clear Consensus leads to Definite Action

After terminating their investigation, the Diocesan Pastoral Response Team concluded that while there was no crime to report, there was still significant cause for concern. In his evaluation of the evidence, the Diocesan Counsel, John Jarboe, concurred that the facts as they were known did not warrant reporting under Oklahoma's mandatory reporting law.

However, the seriousness of the allegations moved Bishop Slattery to immediate action. Fr. Lewis was removed from his assignment at the Church of Saint Mary and was sent to St. Luke's Hospital, a nationally recognized psychiatric treatment facility in Maryland. A letter from the Bishop was read at all the weekend Masses at the Church of St. Mary which explained the reasons for Bishop Slattery's actions in advance of Lewis' evaluation at St. Luke's.

Because Federal statutes safeguard the privacy and confidentiality of medical records, nothing further can be said regarding Fr. Lewis until he returned to Tulsa in the late summer of 1995.

As a condition for his return to active ministry, Bishop Slattery imposed a number of stipulations upon Lewis. These included the necessity of his working with experienced priest mentors and his giving continual evidence of having learned acceptable personal boundaries. Practically speaking, this second stipulation meant that Lewis was not to be alone with minors.

Fr. Lewis accepted these conditions and in September of 1995 was assigned as associate pastor at Holy Family Cathedral, Tulsa. In June, 1996, Fr. Lewis was reassigned as pastor of Sacred Heart parish in Fairfax with its missions. While at the Cathedral, Monsignor Halpine served as Lewis' mentor; Fr. Leonard Higgins mentored him in Fairfax.

In addition to the mentoring offered by Fr. Higgins, the pastoral work of Fr. Lewis was supervised by a further team which included the Vicar General of the Diocese and the Diocesan Counsel.

By all accounts, Fr. Lewis was a successful and

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Diocesan Insurance Settlements

Last June, America's Bishops drafted the *Charter of Protection for Our Children*. Though this document has yet to be approved by Rome, it has already changed the way dioceses deal with allegations of sexual misconduct. It has also brought a welcome new transparency to the area of finances with the expectation that any legal settlement made with diocesan funds will be made public. For this reason, when Bishop Slattery was asked on July 30, 2002 if the Diocese had approved any settlements he correctly answered "No" - thinking in terms of the Charter's guidelines. The Diocese has never used Diocesan monies to settle suits brought against the Church in Tulsa for sexual abuse, whether committed by priest, a deacon or any other employee. Not before Bishop Slattery was installed (1994) and not since.

There have been three such lawsuits which resulted in legal settlements. All of the incidents occurred before Bishop Slattery became bishop although in some cases the court cases were only settled after his installation. All the settlements were paid by Diocesan insurance carriers In that same spirit of openness and transparency, we are printing details of those settlements here for you.

Laurie M (a minor) vs. Roger Glenn Lawrence

This 1991 case involved the sexual assault of a 13 year old 7th grader by her 37 year old basketball coach at St. John's School in Bartlesville. Lawrence pleaded 'no contest' and was sentenced to a prison term. The parents sued for negligence on the part of the Diocese, charging that the parish hired Lawrence without an adequate background check and negligently entrusted him as coach of the basketball team, although

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Luce vs. Vanderford

This case and the third stem from the sexual abuse of boys at St. Cecelia Parish in Claremore by the parish deacon Morris Dale Vanderford in 1989. Tried and sentenced, Vanderford recently died in prison. The Luce case was settled in 1992 but the settlement was sealed through a court order. The *Tulsa World*, however reported a figure over $750,000 of which they claimed $100,000 came from the Diocese. This is also incorrect.

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Prater vs. Vanderford

The settlement (1994) of this second Claremore case was not released until December of 1997, four years after the Diocese instituted its Sexual Abuse Policy and three years after Bishop Slattery was installed. In reporting on this settlement, the *World* gave $44,000 as the amount. Like the Luce v. Vanderford case, this settlement was covered by the State of Missouri after the bankruptcy of the Lutheran Benevolent Insurance Exchange. no Diocesan funds were paid out.

The Allegations against John Jangam

On August 3, 1999 Father Charles Swett, retired pastor of St. Brigid's in Tahlequah, called Monsignor Dennis C. Dorney, Vicar General of the Diocese of Tulsa, to talk about a phone call he had received from a former parishioner, now a parishioner of St. Mark's in Pryor.

Father Swett said that the parishioner had called to express concern over what he and his wife felt were inappropriate actions in regard to their 13-year-old daughter. According to the parishioner, the pastor of St. Mark's, John Jangam, had invited their daughter into the rectory to watch TV. The parishioner said that the girl stated "that he made her nervous because he hugged and kissed her." Jangam, a native of India, had been on loan to this diocese since 1997.

As Fr. Swett recalls the conversation, the parishioner told him (Swett) that when he (the father of the girl) went to speak to then-Father Jangam about it, Jangam denied all of it. But in the process of his denying the allegation, Jangam directly broke the seal of confession.

Thanking Father Swett for his call, Msgr. Dorney then phoned the parishioner directly, who confirmed the account related by Father Swett. Said the parishioner to Monsignor: "I am sure Fr. John was only trying to defend his actions, but I didn't think priests could talk about what they heard in confession." Msgr. Dorney assured the parishioner that his understanding of the confidentiality of the Sacrament was correct.

Msgr. Dorney then offered to come to Pryor and talk to him and his daughter. The parishioner said that he "didn't feel that that would be necessary because they felt confident that nothing further had happened between Fr. John and their daughter, but they were concerned and wanted the diocese to know."

A Denial and an Excommunication

The following day, August 4, 1999, Msgr. Dorney called Fr. Jangam and asked him to come and see him. When Jangam arrived, the Vicar General told him of his conversation with the parishioner. Jangam denied having touched the girl in any way; but he did admit that what he told the father violated the seal of confession.

Msgr. Dorney asked Father John if he understood the seriousness of his actions and he said yes. Dorney then asked him if he understood that by his actions he was automatically excommunicated and that this excommunication was reserved to the Apostolic See.

Jangam had been planning a return to India to visit his mother who was in failing health; he also needed to renew his Religious Worker's Visa. At this point in their conversation, Msgr. Dorney told Jangam that by breaking the seal he had forfeited his right to function as a priest and the Diocese would not seek to renew his visa.

In effect, Jangam's excommunication rendered his religious worker visa illegal. Msgr. Dorney told him that since he was already planning to return to India, he must get his affairs in order and return as soon as possible to his bishop.

When Jangam asked for permission to say Mass the following Sunday in Pryor, Dorney replied that he was unable to give it because the excommunication was immediate. It would prohibit his saying Mass, celebrating the Sacraments, or even receiving Holy Communion.

Msgr. Dorney went so far as to give Jangam copies of the relevant passages of Canon Law, emphasizing that he must not for any reason participate in the celebration of the Eucharist or in the public worship of the Church. Further, Dorney told him that it would be up to Jangam and his bishop, the Most Rev. John Mulagada, Bishop of Eluru, as to how to handle the matter from that point on.

Monsignor Dorney informed Bishop John Mulagada in writing of what had happened, and enclosed a copy of the memo which he had

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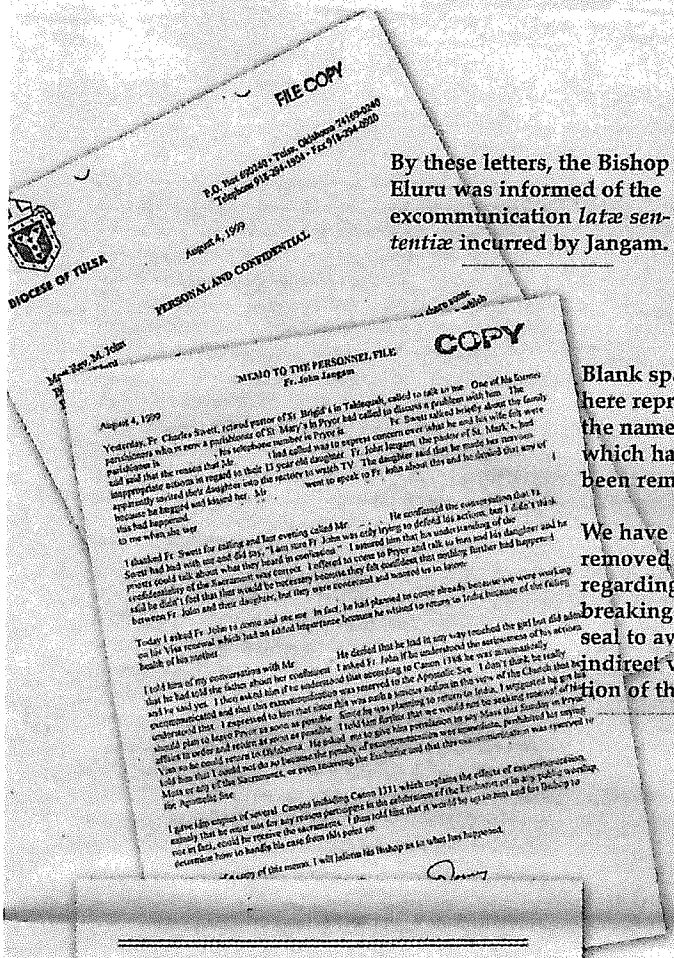


FILE COPY

DIOCESE OF TULSA

August 4, 1999

PERSONAL AND CONFIDENTIAL

COPY

MEMO TO THE PERSONNEL FILE
Fr. John Jangam

August 4, 1999

Yesterday, Fr. Charles Swett, retired pastor of St. Brigid's in Tahlequah, called to talk to me. One of his former parishioners who is now a parishioner of St. Mark's in Pryor had called to discuss a problem with him. The parishioner is [illegible]. His telephone number in Pryor is [illegible]. Fr. Swett called briefly about the family had said that the reason that Mr. [illegible] had called was to express concern over what he and his wife felt were inappropriate actions in regard to their 13 year old daughter. Fr. John Jangam, the pastor of St. Mark's, had apparently invited their daughter into the rectory to watch TV. The daughter said that he made her nervous because he hugged and kissed her. Mr. [illegible] went to speak to Fr. John about this and he denied that any of this had happened.

I thanked Fr. Swett for calling and last evening called Mr. [illegible]. He confirmed the conversation that Fr. Swett had had with me and did say, "I am sure Fr. John was only trying to defend his actions, but I didn't think priests could talk about what they heard in confession." I assured him that his understanding of the confidentiality of the Sacrament was correct. I offered to come to Pryor and talk to him and his daughter, and he said he didn't feel that that would be necessary because they felt confident that nothing further had happened between Fr. John and their daughter, but they were concerned and wanted to be aware.

Today I asked Fr. John to come and see me. In fact, he had planned to come already because we were waiting on his Visa renewal which had an added importance because he refused to return to India because of the failing health of his mother. He denied that he had in any way touched the girl but did admit that he had told the father about her confession. I asked Fr. John if he understood the seriousness of his actions and he said yes. I then asked him if he understood that according to Canon 1398 he was automatically excommunicated and that this excommunication was reserved to the Apostolic See. I didn't think he understood that. I explained to him that since this was such a serious action in the view of the Church that he should plan to leave Pryor as soon as possible. Knowing he was planning to return to India, I suggested he get his affairs in order and return as soon as possible. I told him further that we would not be seeking renewal of his Visa so he could return to the diocese. He asked me to give him permission to say Mass this Sunday in Pryor. I told him that I could not do so because the penalty of excommunication was immediate, prohibited his saying Mass or any of the Sacraments, or even receiving the Eucharist and that this excommunication was reserved to the Apostolic See.

I gave him copies of several Canons including Canon 1331 which explains the effects of excommunication, namely that he must not for any reason participate in the celebration of the Eucharist or in any public worship. Also, I explained to him that at a point in the future, could he receive the sacraments. I then told him that it would be up to him and his Bishop to determine how to handle his case from this point on.

A copy of this memo I will inform his Bishop as to what has happened.

[illegible]

July 26, 2002

Dr. Edward Maller
P.O. Box 690240
Tulsa, Oklahoma 74169-0240

Dear Dr. Maller,

I am writing you this letter to Thank You for all you have done for me. Your presence and assistance is greatly appreciated. You have tried to help us how you can and have been very understanding in this situation.

I would like to say that I believe that we have accomplished more now than we did three years ago.

I would also like to say that I believe that this situation is coming to a close. Especially since I am going to begin my counseling before I depart for my year abroad in Germany.

Also, I would like to apologize if I may have seemed unsatisfied in our meetings I think that I have done all that I can done this, and trust that you have done all you can do as well.

Once Again, I thank you for your concern and your help.

Sincerely,

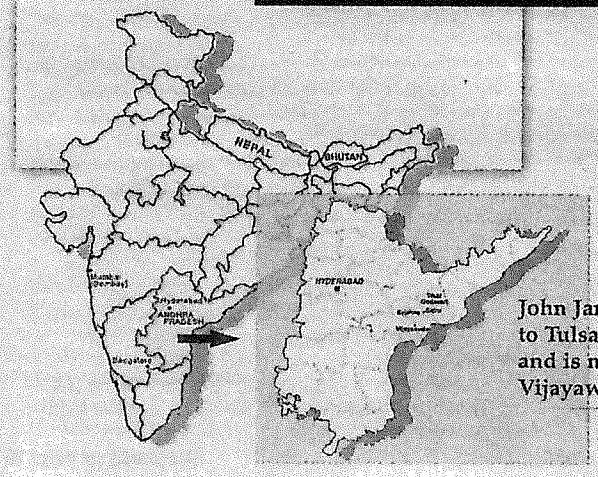
[illegible]

No names are used in this story to protect the privacy those involved.

By these letters, the Bishop of Eluru was informed of the excommunication *latæ sententiæ* incurred by Jangam.

Blank spaces here represent the names which have been removed.

We have also removed a line regarding the breaking of the seal to avoid a indirect violation of the seal.



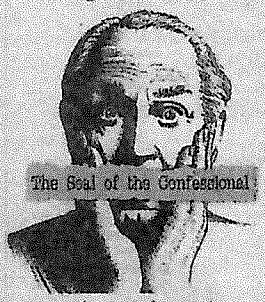
John Jangam came to Tulsa from Eluru and is now living in Vijayawada.

The Seal of the Confessional

by Rev. Michael Dodd

What is the so-called "Seal of Confession"?

The "seal of confession" is the solemn obligation to keep absolutely secret whatever is said during the celebration of the sacrament of penance. It binds the priest hearing the confession and anyone else who may hear what is said during confession. Canon 983, §1 of the 1983 *Code of Canon Law* states: *"The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason."*



The Seal of the Confessional

When is the seal violated? and what penalties are imposed for such a violation?

Canon 983 is very broad in that it makes no distinction between the different elements within the sacrament of confession which may be subject to a breech of the seal, such as the sins confessed or the penance given. Absolute secrecy is to be maintained regarding the celebration of sacramental confessions as a whole, without exception.

Although the seal of confession is very broad, Church law prescribes penalties for breech of the seal only in certain circumstances, distinguishing between a direct and an indirect violation.

Direct violation of the seal occurs when a priest, or another bound by the seal (*for example someone who accidently overhears the conversation between a priest and a penitent*), reveals deliberately the identity of a penitent and the contents of his or her confession. For example, if Fr. Smith is sitting at dinner with the other priests in his rectory and comments offhandedly, "Joe confessed that he got drunk again," then the seal has been violated directly. Thus if a priest deliberately reveals in any way, verbal or otherwise, who has come to him for Confession or what has been revealed, then direct violation has occurred.

Indirect violation of the seal occurs when a priest, by his negligent words, actions, or omissions, leads others to the knowledge or even a suspicion of the identity of a penitent and the contents of his or her confession. For example, if I hear the confessions of only three penitents before Mass, then say, "One of the penitents today confessed getting drunk again," I may have violated the seal indirectly, as one could easily conclude that I was speaking of Joe.

What penalties are imposed for breaking the seal of confession?

Under canon law, penalties are incurred in

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The Jangam Case

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placed in Jangam's file.

On Saturday August 7, 1999, Fr. Jangam returned to India. That same day, Msgr. Dorney phoned the parishioner's home and spoke to the mother of the girl, who thanked him and acknowledged that her husband mentioned that the Diocese had offered to make counseling available for their daughter.

Msgr. Dorney said that such a decision should be made by the parents, and should they decide so, the Diocese would be happy to make a counselor available. Dorney went so far as to suggest several name. The mother then replied that she and her husband would discuss this with her daughter and get back to him.

Dorney thanked her again "for bringing this matter to our attention." In an August 7 memo to Jangam's personnel file, Dorney wrote "I appreciated her concern both for her daughter and the Church. She in turn thanked me."

Bishop Slattery was out of town during the time of these events.

What was told to the Parish

The parishioners of St. Mark's were told simply that Father John Jangam had returned to India because of his ailing parent. This was not the whole truth but it was the bishop's determination that any information regarding Jangam's breaking the seal or his resultant excommunication would be needless and possibly harmful.

Nor did the Diocese inform the parish of the girl's allegation. The matter was not made public to protect the privacy of the child and her parents who had expressed their conviction that nothing further had occured than what was first alleged, namely that 'Jangam made the girl nervous when he hugged and kissed her.'

Though Jangam's alleged actions would be considered inappropriate, neither the parents nor the diocese felt a need to report this "hugging and kissing" to the civil authorities.

In April, 2002, Fr. Kenneth Harder, the pastor appointed to replace Jangam at Pryor, spoke with Dr. Maillet, the former Chancellor, then serving as the diocesan spokesman on matters relating to the abuse scandal in the Church.

An 'ambiguous and irregular' Relationship

Father Harder related that he had been counseling the girl at scheduled appointments in an office setting roughly every week or two. One of the topics involved "an ambiguous and irregular relationship with the former pastor of this parish, Father John Jangam." Though Harder believed that issue had been resolved, it had resurfaced in the months after the national sexual abuse scandal had begun.

In addition, the girl was beginning to telephone him with great frequency.

Dr. Maillet agreed to meet with the girl if she requested it and on Monday, April 28, the girl telephoned Maillet at home to tell him that she had been diagnosed with tuberculosis and would need to contact everyone with whom she had been in significant contact. For this reason she wanted Dr. Maillet to put her in touch with John Jangam. The girl also expressed concerns about Jangam's current status.

Dr. Maillet said that he would warn Jangam of the possible contagion through a letter and reminded her that Jangam had been removed from the ministry. Maillet encouraged her to discuss these and other concerns with her parents and also suggested that she might want to meet with a professional counselor. If she did the Diocese would be happy to arrange for it with her parents' consent.

The girl said that she would call back if she wanted to pursue that suggestion or if she had other matters to discuss.

Further Communication

On Thursday May 1, the girl contacted Msgr. Dorney who recalls that she questioned how we handled the reports about her and Father Jangam, and questioned why she had not been contacted personally.

Dorney explained that there had been a number of conversations with her father and one with her mother. He also explained that he had offered to come to Pryor and visit with her family but her father had told him that such a visit would be unnecessary.

The girl replied that she was unaware that we had ever talked to him.

Msgr. Dorney offered again to visit with her parents and repeated the diocese' offer of professional counseling. She said she would talk to her parents and should they wish to pursue this, they would call him.

On Friday May 2, the girl called Dr. Maillet again at home. When she asked him why the parish had not been told about the alleged incident, he responded, "because you were a thirteen-year-old minor and one of our responsibilities was to protect your privacy. We would continue to do that unless the alleged perpetrator was in the area and somehow needed to be

Continued on page

Were Payments Made for Counseling?

The American bishops have called for a compassionate outreach to those people who have been the victims of sexual abuse by members of the clergy or employees of the Church. *"This outreach will include provisions of counseling, spiritual assistance, support groups and other social services agreed upon..."*

Long in advance of this provision, the Diocese offeredcounseling in 1994 to the family alleging sexual misconduct by Fr. Lewis. They declined the offer in 1994 but accepted it in 2002. $3,725 has been paid to the family with $249 paid to the parents. An additional $419.96 was paid by the diocese for anxiety medication to the man who suffered from Fr Lewis' inappropriate behavior. None of this amount was paid for by parish funds, Catholic Charities, the DDF or Fund for the Future.

Setting the Record Straight

It was reported in the July 31 Tulsa World that John Jangam, who has been accused of an incident of sexual abuse against a minor while serving as a priest in Pryor, Okla., told the World's reporter in a telephone interview that he has never been excommunicated, that he is still a priest in good standing and is now the director of Saint Joseph Orphanage, in Vijayawada, Andhra Pradesh, India.

However, the diocese has discovered through a series of telephone calls to Jangam's bishop in Eluru, India, that the excommunication has never been lifted and is still in effect and that Jangam is not now functioning or serving as a priest in any capacity.

Father William Eleti, who is the Director of Saint Joseph Orphanage, stated that Jangam, who since returning to India has married civilly, is not employed in any way at the orphanage.

On three occasions Bishop Slattery has written to Jangam's former bishop, Bishop John Mulagada, informing him of the allegations against Jangam and urging him to do whatever he could to prevent him from holding any position involving contact with minors.

Any appeal for donations for Saint Joseph's Orphanage from Mr. Jangam should be reported to the United States Postal Inspector.

Priest accused of abuse now running orphanage

By Zua Branstetter
World Projects Editor

A Catholic priest who is accused of molesting a Pryor girl in 1999 and was returned to India by Tulsa Diocese officials told the Tulsa World on Wednesday that he is operating an orphanage in that country and is still a priest.

John Jangam said he is operating an orphanage with 35 boys and girls ranging from 5 to 10 years old. He said most have no parents or live in poverty, so "we start to bring these children into our house."

"They are very poor. . . . I am trying to help them and educate them," said Jangam. He said he provides food, clothing, education and shelter for the children.

Jangam was interviewed by the World via telephone from his orphanage in the city of Vijayawada, India. The city is in India's southeast coastal region about 150 miles northeast of Bangalore.

Pryor police are now investigating the case, the girl's mother said Wednesday.

The president of a national group of abuse survivors called on Tulsa Diocese Bishop Edward Slattery to contact Vatican officials and criminal authorities about the case.

Slattery said Tuesday that Jangam had been excommunicated and returned to India. But Jangam said it was untrue that he was excommunicated and that he is still a priest.

"My visa was only for three years, and that's why I left," Jangam

SEE ABUSE A-5

What's Your View?

Readers are invited - and encouraged - to comment on the information contained in this insert to the Eastern Oklahoma Catholic concerning the public allegations of sexual abuse of minors by priests in the Diocese of Tulsa.

The EOC welcomes letters to the editor, and they can be submitted in several different ways.

The newspaper's mailing address is P.O. Box 690240, Tulsa, OK, 74169.

The FAX number is 918-294-0920.

The email address is easternokcatholic@dioceseoftulsa.org

Include your name, address and a daytime telephone number so that the EOC staff can verify the letters' authenticity.

Seal of the Confessional

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two ways: they may be imposed upon the offender by a judge, in which case they are called *ferendae sententiae*, or they are imposed automatically by the law as soon as the offense is committed. This penalty is called *latae sententiae*.

Canon 1388, §1 states that *"A confessor who directly violates the sacramental seal incurs a latae sententiae excommunication reserved to the Apostolic See; one who does so only indirectly is to be punished according to the gravity of the delict."*

This means that a priest who directly and intentionally breaks the seal of confession by revealing the identity of a penitent and the contents of his or her confession, is **excommunicated** *latæ sententiæ*, that is automatically. The penalty of excommunication is imposed by the law itself as soon as the offense is committed. Furthermore, the offense is so serious that the excommunication can only be lifted by the Apostolic See. Indirect violation of the seal is also to be punished, but in a manner determined by the competent judge.

What is excommunication?

Excommunication is a most serious penalty by which a person is excluded from most of the spiritual benefits of the Church. Excommunication is meant to be medicinal, in that the punishment is imposed in the hope that the offender will realize the gravity of his or her offense and repent.

Canon 1331 states that a priest who is excommunicated cannot celebrate or receive any of the sacraments, nor can he preside over any other worship ceremonies. He cannot exercise any ecclesiastical offices, ministries, or functions in the Church, nor can he carry out any acts of governance. As long as the excommunication binds him, neither can he receive any new offices or positions.

How is a decree of excommunication lifted?

As noted above, the automatic excommunication imposed for the willful and deliberate breaking of the seal of confession is reserved to the Apostolic See. In Canon law, the terms "Apostolic See" or "Holy See" refer not only to the pope himself, but also to those institutions of the Roman Curia which assist him in the governance of the Church. In these matters, the Congregation for the Doctrine of the Faith (CDF) has been given the duty of declaring and lifting sanctions.

So if a priest incurs the automatic excommunication for breaking the seal, before he can celebrate or receive the sacraments again or in any way carry out his ministry as a priest, the penalty must first be lifted by the authorities in Rome.

Was this excommunication lifted in the case of John Jangam?

Bishop John Mulagada, bishop of Eluru, the diocese in which Mr Jangam had been incardinated, said most emphatically that it had not been.

Allegations against Fr. Lewis

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competent pastor, a gifted teacher and a popular homilist.

In May of 1998, following positive self-reports from Fr. Lewis and encouraging reports from Lewis' supervisory team, Deacon John Donnelly became Lewis' mentor and Lewis was allowed to have his residency in Fairfax. Three years later, in June of 2001, Fr. Lewis was re-assigned to St. John the Evangelist Parish in McAlester with responsibilities as well in Krebs, Eufaula and Pittsburg.

A Question of Respecting Boundaries

Throughout this period, Fr. Lewis remained a close friend with a number of families from his former parish of St. Mary. All these families accepted him like a "member of the family," and all of them had young male children at home with whom Lewis was also close.

In addition there were other isolated points of concern over the years. At one time, he participated (with other adults) in an overnight youth camp. On another occasion, Lewis accompanied a family with young sons on a family ski trip.

Neither in these, nor in any other instances of which we know, did Lewis act inappropriately after his return. On the other hand, this behavior did indicate a continued pattern of behavior which called into question whether or not Lewis had completely internalized the importance of proper personal boundaries

A Canonical Investigation begun

In response to continued requests from the parents of the first young man and conscious of the nation's mounting furor over allegations of sexual abuse and clerical cover ups in Boston, Bishop Slattery authorized a new canonical investigation of the 1994 incident to determine whether there was an imputable delict.

Five days later, on May 14, Fr. Michael Knipe was named canonical auditor of the investigation, replacing Fr. Tam Nguyen.

By early June the canonical investigation had opened with interviews of the parents of the first young man. These interviews were followed by 16 further interviews, some of them conducted with parishioners from the Church of St. Mary in Tulsa as well as the parishes in Pawhuska, Fairfax, Cleveland Hominy, McAlester and Krebs. In addition to the interviews conducted with parishioners, information was sought from various deacons, youth ministers and CCD directors who were interviewed at length and in open discussions.

A review of Fr. Lewis' file was made and Fr. Knipe completed his investigation on June 20, 2002.

What the evaluation revealed

What Knipe's canonical evaluation revealed is a larger than expected pattern of inappropriate behavior on the part of Lewis, a pattern which began after his ordination and reveals continued bad judgement on his part.

On June 12, 2002, for example, a young man, who had been a boy at St. Mary in 1994 while Fr. Lewis was the associate, came forward and in his interview with Dr. Maillet reported that

- Fr. Lewis had brought up sexual issues at inappropriate times with young men
- Fr. Lewis told two youths he had been aroused sexually while sitting next to them
- Fr. Lewis was "handsy" in the car and at the lake and while watching TV
- Fr. Lewis had invited young men, with whose families he was close, to visit him in Fairfax and help him with manual labor in the parish.

Some of these further revelations concern the period before Lewis' evaluation at St. Luke's (roughly 1994) while others refer to the period following his return (1995-2002).

Bishop Slattery Invites Lewis resignation.

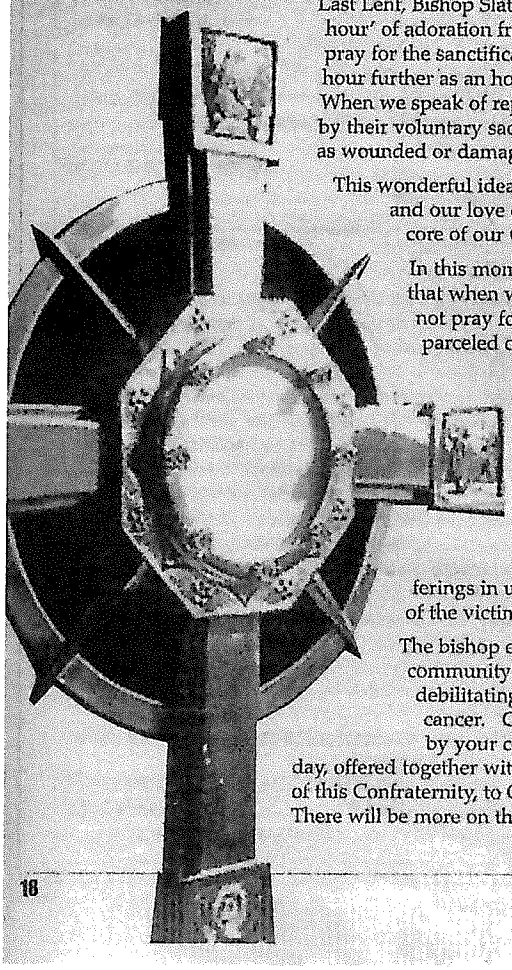
Upon consultation with a canon lawyer and after careful consideration of all these issues, Bishop Slattery determined that the facts - *even as revealed in June 2002* - did not warrant or support a process to declare a canonical penalty. However these further allegations convinced Bishop Slattery that Fr Lewis' continued pattern of poor judgement meant that he could not function effectively in the priesthood.

Accordingly, Bishop Slattery invited Fr. Lewis to resign his pastorates, which he did, voluntarily submitting his resignation. This was effective on July 22, 2002.

Father Lewis will receive no new ministerial assignment.

Holy Hour of Reparation and the Confraternity of the Holy Cross

The Church has always seen herself as a 'Pilgrim People,' a hierarchical community bound by love which exists to perpetuate the saving mysteries of Christ's death and resurrection. It should come as no surprise, therefore, that sin casts an undeniable shadow across the face of the Church. Redeemed, still we fall. Forgiven, still we return to our sin. Sinners, each one of us, we live in the constancy of hope and the expectation that 'as I forgive others, so will God forgive me.'



Last Lent, Bishop Slattery asked every parish to begin a Friday night 'holy hour' of adoration from 6 until 7 p.m. before the Blessed Sacrament to pray for the sanctification of priests. But the Bishop specified this holy hour further as an hour of prayer *"in reparation for the sins of priests."* When we speak of reparation, we speak of the members of Christ's Body - by their voluntary sacrifices of love - working to repair that which we see as wounded or damaged by the sins of others.

This wonderful idea, that in Christ we bear with one another's burdens and our love can undo the ravages of selfishness, lies at the very core of our Catholic understanding of the Mystical Body.

In this moment of scandal in the Church, we need to remember that when we pray in reparation for the sins of our priests, we do not pray for priests alone, as if prayer were something to be parceled out, or the effects of prayer something to be hoarded. When we pray in reparation, we pray for the healing of the whole Body, the strengthening of each member of it.

Now Bishop Slattery is calling for the erection of a spiritual association or 'Confraternity' in the Diocese, composed of men and women, adults or childen, priests or lay faithful, who are willing to make a special oblation or offering of their sufferings in union with Christ on his Cross for the specific healing of the victims of abuse and violence.

The bishop extends a special invitation to those members of our community who suffer from chronic or constant pain, from debilitating diseases, from the effects of heart disease, strokes or cancer. Consider the wonderful effects to yourself and others by your conscious, willful oblation of what you suffer every day, offered together with the suffering and weakness of the other members of this Confraternity, to God our Father in union with Our Lord on the Cross. There will be more on the Confraternity in the ***EOC*** in the near future.

The Jangam Case

Continued from page 16

watched, and this was not the case."

Dr. Maillet also assured the girl that anyone who had been sexually abused should feel free to come forward; given the current climate, this would be of great importance.

On May 24, 2002, Msgr. Dorney wrote a letter to the parents in which he advised them that their daughter had been in contact several times with him and with Dr. Maillet. He also told the parents that the girl had brought her questions and concerns to her pastor, Father Harder, with some frequency.

Monsignor reiterated that he would be happy to come to Pryor if they wished, and that the Diocese would underwrite any counseling that the girl might need because of her experience with Jangam. "We encouraged her *(the girl)* to discuss all of these questions with you" Dorney wrote.

The Girl Responds to her Parents' Letter

On Friday May 31, the alleged victim responded to the letter which Msgr. Dorney addressed to her parents, calling Dr. Maillet at his office. She stated that her parents didn't want to visit with him and simply wanted to forget the entire matter. She added that her parents didn't understand why she would continue to have concern about the matter. She went on to tell Maillet her fears that Jangam might continue to have inappropriate contact with girls.

Dr. Maillet explained to her that because she is a minor the Diocese has a responsibility to inform her parents of her continued concerns and that she is seeking help. At this same time, Maillet became concerned that previous written communications might not have reached the parents and as a result, they remained unaware of their daughter's concerns.

At 2:00 p.m. on June 12, the girl again phoned the Chancellor asking if the diocese knew how to contact a priest formerly in the diocese, but now living in another country.

By a letter of June 15, Father Harder, pastor in Pryor, informed the Vicar General that recently ("in the past few days") other people in the parish had become aware of the allegation of Jangam's inappropriate contact with the girl. Harder was quite specific in that the revelation was made by the girl herself. For all practical purposes, Harder concluded, the information regarding the alleged incident was now in the public domain.

On Monday June 17, Dr. Maillet received a call at home from the girl who said that her mother wanted to meet with Dr. Maillet and Msgr. Dorney. An appointment was set for Thursday, June 19 at 11:00 a.m. and the day and time given to the girl. However that Thursday, two hours before the scheduled appointment, the mother telephoned to report that she would be unable to keep the appointment, about which she had been told only the night before.

The mother added that she did not see why she needed to speak with Maillet and Dorney as she had put the Jangam episode behind her. The mother expressed her wish that her daughter would do the same and move on.

Dr. Maillet explained that since the girl is a minor the Diocese wanted to be sure that the parents knew about the girl's concerns and her repeated contacts with the Diocese. Maillet recalls that the mother expressed genuine appreciation on that point.

Dr. Maillet followed this conversation with a detailed letter to the mother (June 25, 2002) citing three concerns expessed by the girl.

- **First, the girl wondered whether the parish ought to be made aware of her experience.** *Maillet answered that it was not clear what good that would do, but that she was certainly free to discuss the matter with whomever she wished. Dr. Maillet did encourage her to seek her mother's advice about revealing the alleged incident.*
- **Secondly, the girl was concerned whether Jangam might be misbehaving with young girls in India.** *Maillet assured the girl that the Diocese had written the Bishop of Eluru at the time the incident is alleged to have happened; but would write Bishop Mulagada again.*
- **Finally, the girl had asked why the Diocese had not notified the police when it learned the allegation.** *Maillet told her that the behavior as she herself described it at the time - "hugging and kissing which made her nervous" – did not appear to constitute sexual molestation.*

The Allegation Begins to Grow ...

It should be kept in mind that by the time Maillet wrote to the girl's mother (June 25) the allegations had begun to grow. At first, Jangam's actions were described as "hugging and kissing." This was the language of the allegation which the Diocese learned of in 1999; but by April of this year the girl had begun to claim that Jangam had touched her breasts.

By the time the *Tulsa World* reported the story on July 30, 2002, the allegation had grown again. The allegation now read "Jangam asked her to watch television in his bedroom. She (the girl) said Jangam 'put his hand on my leg and would invite me to go over to his bed and lie down.' She said the priest fondled her breasts under her clothing."

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What Oklahoma State Law Requires

By John Jarboe, Diocesan Counsel

Central to one's understanding of these complicated cases is the Diocese claim that the inappropriate behavior as first allleged in both the Lewis and the Jangam cases never constituted sexual abuse as defined by Oklahoma State Law. Nor did the actions - as the Diocese knew of them in 1994 (the Lewis case) or in 1999 (the Jangam case) - fall into that category of actions which must be reported to the Department of Human Services ('DHS').

In 1993, when the original Diocesan policy on sexual abuse was adopted, the reporting requirement was specified in Title 21 (criminal code) of the Oklahoma Statutes, Section 845:

> MANDATORY REPORTING LAW OF THE OKLAHOMA CRIMINAL CODE: 21 O.S. 846(A).
> ...every other person having reasons to believe that a child under the age of eighteen (18) years has had physical injury or injuries inflicted on him or her by other than accidental means where the injury appears to have been caused as a result of physical abuse or neglect shall report the matter promptly to the county office of the Department of Human Services in the county wherein the suspected injury occurred. It shall be a misdemeanor for any person to knowingly and willfully fail to promptly report any incident as provided above.

The term "sexual abuse" as defined in Section 845 of the statute reads:

> ...any harm or threatened harm to a child's health or welfare, including damage to his physical or emotional welfare resulting from non-accidental physical or mental injury, sexual abuse, sexual exploitation, or negligent treatment or maltreatment. Sexual abuse includes rape, incest and lewd or indecent acts or proposals. Sexual Exploitation includes allowing, permitting or encouraging a child to participate in acts of prostitution or pornography.

Sexual abuse is elsewhere defined in Title 43A Section 10-103 of the Statutes, dealing with vulnerable adults, as follows:

> 11. Sexual abuse " means oral, anal, or vaginal penetration by or union with the sexual organ of another, or the anal or vaginal penetration by any other object or, for the purpose of sexual gratification, the touching or feeling of the body parts of another."

The Law as amended in 1995

In 1995, the sexual abuse reporting requirement was moved from the criminal code to Title 10 of the Statutes (or 'Child Protection') and now provides as follows:

> MANDATORY REPORTING PROVISION OF THE OKLAHOMA CHILD ABUSE REPORTING AND PREVENTION ACT
> *10 O.S. § 7101 et seq.*

Continued on page 2

Jangam

Continued from page 19

And Grow ...

Nor was the 'hugging and kissing' incident the only instance of alleged abuse. The *Tulsa World* also reported "two other occasions during the weeks that followed." One incident was described as having occured in the confessional where the priest is now alleged to have "kissed her on the mouth" and the second occured after Mass in the hall when Jangam is alleged to have come up behind the girl, putting his hands around her waist.

At this point the *World* was now reporting that the girl indicated that Jangam touched her genitals.

Further allegations would be raised in subsequent reports.

The Diocese meets with them in Pryor

Of these additional accusations, only the April version (that Jangam allegedly touched the girl's breasts) was known to the Diocese when on July 2, 2002, Msgr. Dorney and Dr. Maillet travelled to Pryor where they met with the mother and her daughter in the parish office.

In a follow-up letter written to the mother that very day, Dr. Maillet summarized the results of that meeting, stating how pleased he was that she had decided to arrange professional counseling for her daughter. He advised her to send the bills to the Diocese.

In the letter Maillet also mentioned that there were limits to the Diocese's ability to manage Jangam's conduct in India. He noted that the mother's suggestion that Bishop Slattery invite any and all who have been subject to misconduct by any church worker to come forward was an idea with merit.

"Thanks for all You've Done"

On July 6, 2002, the girl - whose mother would later (July 30) claim in the *Tulsa World* that "We trusted the Diocese, and they let us down," wrote to Dr. Maillet saying: "I am writing you this letter to Thank You *(sic)* for all you have done for me. Your presence and assistance is greatly appreciated. You have tried to help as best you can and have been very understanding in this situation." She added, "I would like to apologize if I may have seemed unsatisfied in our meetings. I think that I have done all that I can do in this, and trust that you have done all you can do as well. Once again, I thank you for your concern and your help."

On the same day the girl wrote Msgr. Dorney, "During our recent meetings I may have seemed angered or unsatisfied, and I deeply apologize for that. I am happy to state that I believe this issue is resolved. Once I begin my counseling I will then truly believe that I have done all that I can do and the rest is in God's hands."

On July 15, the counselor whom the girl's parents had selected determined that since the girl would be in the local area only until August 11, there would be insufficient time to establish a productive counseling relationship. The counselor recommended waiting until the girl returned from her studies in Germany.

How the Diocese learned of the new allegations

On Monday July 29th a *Tulsa World* reporter called the Diocese, informing the Chancellor that she (the reporter) had interviewed the girl and her mother. The girl was now alleging - for the first time - that Jangam had fondled her breasts under the clothing and touched her genitalia. The reporter told the Diocese that this story would appear in the following day's edition of the *World*.

On the following Wednesday, July 31, the *Tulsa World* trumpeted that the accused priest was now running an orphange in India. The reporter for the paper claimed that in a telephone interview Jangam denied having been excommunicated, arguing that he was still a priest in good standing and was now serving as the director of an orphanage in the city of Vijayawada, Andhra Pradesh, India.

The reporter mentioned neither documentary nor corraborative evidence to substantiate the man's claims. However when the Diocese of Tulsa contacted Jangam's former bishop in Eluru by phone, Bishop Mulagada emphatically confimed that Jangam was no longer serving as a priest.

Fr. William Eleti, who is the Director of Saint Joseph Orphanage and who was a classmate of Jangam in the seminary, added that Jangam has married civilly since returning to India.

On Friday August 9, at her request, the girl and her mother met with Msgr. Dorney and Father Michael J. Knipe. At this meeting, held in the Diocesan Chancery Offices in Broken Arrow, the girl made still further allegations never previously revealed to the diocese or published in the news media. That same day, the diocesan counsel, John Jarboe, reported those allegations to the Department of Human Services (as required by law). The Pryor Police were also contacted.

Insurance settlements

Continued from page 14

The **Laurie M (a minor) vs. Roger Glenn Lawrence** Case
... it knew - or should have known - of improper conduct by Lawrence with other players. The settlement was reached in 1992 but was subject to a confidentiality agreement. However court records reflect a $750,000 settlement (as reported in the *Tulsa World* on Saturday, August 10). The settlement was covered by the Lutheran Benevolent Insurance Exchange who carried the Diocese' liability at the time. (Note that the Diocese and the parishes are insured together.)

The **Luce vs. Vanderford** Case
The Lutheran Benevolent Insurance Exchange covered the entire settlement to the Luce Family; but then sued the Diocese alleging that the Diocese hadn't adequate coverage. In settlement of this suit, the Diocese made a voluntary offer of $100,000 to the Lutheran Benevolent for the settlement of the Luce vs. Vanderford case. This reimbursement was paid by the Diocesan Contingency Fund which was established by then-Bishop Beltran in August of 1991.

What the law requires

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> Every ... person having reason to believe that a child under the age of eighteen (18) years has had physical injury or injuries inflicted upon the child by other than accidental means where the injury appears to have been caused as a result of physical abuse, sexual abuse, or neglect, shall report the matter promptly to the county office of the Department of Human Services in the county wherein the suspected injury occured. Such reports may be made by telephone, in writing, personally or by any other method prescribed by the Department. Any report of abuse or neglect made pursuant to this Section shall be made in good faith.

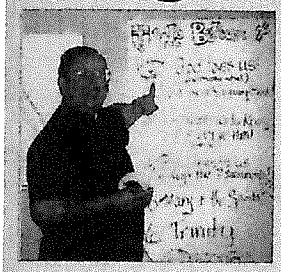
Title 10 Section 7102 of the Statutes defines sexual abuse as follows:

> 5. "Sexual abuse: includes but is not limited to rape, incest and lewd or indecent acts or proposals, as defined by law, by a person responsible for the child's health or welfare."

What Evelyn McMahon reported to Bishop Slattery in October of 1994 regarding Fr. Lewis was a pattern of inappropriate behavior which included rubbing a child's back on two separate occasions, sitting with children alone in his office, or taking them for rides in his car. Neither singly nor in combination did these actions fall under the reportable category.

The same is clear in the Jangam case. What was first reported to Fr. Swett (and then to the Chancery officials) was that Fr. Jangam had made the girl nervous by hugging and kissing her. As the allegations in the Jangam case now stand, they would certainly have to be reported and the most recent allegations (given on August 9, 2002) were reported to the authorities that very day.

Allegations raised against Fr. Paul Eichhoff



On August 1st, Bishop Slattery placed Fr. Paul Eichhoff, pastor in Claremore on Administrative Leave. These are the events which led up to that decision.

No names will be revealed in this article since Fr Eichhoff has filed a suit for defamation against the family and person alleging abuse.

On July 10 of this year a parishioner of Saint Bernard of Clairvaux Parish in South Tulsa approached his pastor, Fr. Bernard Jewitt, to raise an allegation of sexual misconduct on behalf of his grown son against Fr. Paul Eichhoff.

The allegation concerns activities which were supposed to have taken place at some point during the years 1977 to 1979 while the son was in 3rd or 4th grade at the School of Saint Mary in Tulsa and Fr. Eichhoff was the associate pastor of the parish.

Two days later, the man again met with Fr Jewitt who reported the allegation to Monsignor Dennis Dorney, Vicar General. He, in turn, reported the allegation of sexual abuse to Bishop Slattery. On July 14, 2002, Bishop Slattery asked John Donnelly, a civil lawyer and a Deacon of the Diocese to assist Father Jewitt in the evaluation of these allegations.

This was done in the spirit of the *Charter* adopted by the Bishops in Dallas last June which calls for a thorough investigation to determine the credibility of any allegation against a priest or other employee of the Church. A preliminary investigation is also called for in the Diocesan sexual abuse policy.

The investigation raised certain questions regarding the credibility of the complaint. There was nothing to substantiate the claim, no corraborating evidence, the alleged victim refused to name two key witnesses and the accused priest, who denies the allegations, can point to a lengthy record of unblemished service in the diocese.

Bishop Slattery met (on July 30) with the family and the man - *now in his early 30s* - who alleged the crime. Also attending the meeting was Wayne L. Pellegrini, PhD. an out of state clinical psychologist employed by the family. At this meeting, Bishop Slattery asked that the accusation be properly prepared and presented to him in a written form. This the family did on the following day, Wednesday, July 31.

When he received the written charges against Fr. Eichhoff, Bishop Slattery implemented the provisions of the Diocesan sexual abuse policy.

On August 1, 2002, Bishop Slattery spoke with John Jarboe, the Diocesan Counsel, asking him to notify the proper authorities. At 10 o'clock that same morning (August 1), Jarboe met with the Tulsa County District Attorney, Tim Harris, to report the allegation. At 11:00 a.m. Bishop Slattery placed Fr Eichhoff on administrative leave pending the completion of a full civil and ecclesiastical investigation. No charges have been filed against Fr. Eichhoff who himself filed a lawsuit for defamation against his accusers on August 1 at 4:30 p.m.

The Requirement to Report Abuse

Some clarification may be helpful in the matter of who is required to report allegations of abuse. Oklahoma statutes require that anyone who knows or suspects that a child is being abused must make a report to the Department of Human Services. They will take immediate action if necessary to protect the child and call the police if that is necessary.

If an allegation is raised against a priest, deacon or other employee of the Diocese, the obligation to report the allegation falls first upon the family or the person who has either primary knowledge or suspicion of the abuse and only then upon the Church whose knowledge in these cases is second (or even third) hand. The Diocese will cooperate fully in any criminal investigation.

Definitions

Many of the terms and definitions used in these pages have a precise or technical meaning which may or may not be the way the word is used in everyday conversation. These definitions may be of help to you.

Administrative Leave
is a procedure, not a penalty, whereby a priest is released from his obligation to care for souls. This can be voluntary or involuntary. In each case, the bishop must determine what, if any, restrictions are to be placed on the priest. According to the Diocesan Sexual Abuse Policy, a priest against whom an allegation of sexual or physical abuse of a minor is raised, is placed on administrative leave until the civil and ecclesiastical procedures are completed. The Church must provide decent support for a priest on leave.

Canon law/canonical
Canon Law is the law of the church. The current Code of Canon Law was adopted in 1983.

Defrocking
is a popular, but vague term, not fount in Canon Law. It is widely used to mean the expulsion of a priest from his clerical state. For the correct term,, see 'laicization,' 'suspension,' or 'administative leave.'

Depart the Active Ministry
Another term for an administrative leave

Excommunication
means a partial exclusion from the communion of the faithful. It does not separate a person from the Church, although a person who is excommunicated may not receive any sacraments, be buried in a Catholic cemetery or be prayed for in the public worship of the Church. Some excommunications are automatic upon the committing of an offence and some are imposed by someone exercising the competent authority in the Church.

Laicize/laicization/return to the lay state
are all terms which describe the process by which a priest is permanently returned to the lay state, having been dispensed from his vow of celibacy and the obligations of the priesthood. The petition can only be granted by the Pope and only for the most serious of reasons. The sacramental nature conferred by ordination can never be removd.

Suspension
is a punitive action which forbids a priest to exercise the rights, duties and privileges of his priesthood. It is a most serious punishment!

Statute of Limitations

In Child Abuse Cases

Criminal prosecution for acts of sexual abuse against a child must begin within seven years of the time when the crime was or could have been discovered by the authorities. 'Discovered' here means the date that a crime involving a victim under the age of 18 is reported to a law enforcement agency, up to and including one (1) year from the child's eighteenth birthday. In a case where no report of the abuse was ever made to any civil authority, a perpetrator could face criminal charges up to the day before the victim reaches the age of 26. A civil action for damages for injuries suffered as a result of childhood sexual abuse must be brought within two years of the act or the time when the victim discovered or should have discovered that the injury or condition was caused by the act, or two years after the victim reaches the age of 18 years, whichever is later. No civil action may be brought against a perpetrator or his estate after the death of the perpetrator.

The statute does have a "repressed memory" provision which could extend the statute of limitations for up to 20 years after the victim reaches 18 years of age under certain stringent conditions.

Questions posed by the people of the Diocese

We asked people coming out of Mass in Collinsville what questions they would ask Bishop Slattery and this is what they came up with

Do priests abuse children because of celibacy? Would we end this tragedy by letting priests marry?

The answer to both questions is 'no.' Most children are abused by a member of the family, an uncle perhaps, or a step-father. In many cases these abusers are married and have children themselves. Celibacy does not cause a man to turn into an abuser. On the contrary, celibacy is a way of further integrating the sexual aspect of our personalities in an unequivocal gift of the self. Pedophilia and ephibophilia are psycho-sexual disorders which act against that integration of the self.

Without being suspicious of everyone - priest, deacon or lay person - what warning signs should we watch for that would indicate a problem?

Abusers can fit a variety of personality types; some are introverted, some extroverted, some quite intelligent and others only average. Sex abusers show a wide range of social abilities (*friendships and personal relations*). What pedophile and ephibophile abusers have in common is a sexual attraction to children or minors at or just past the age of puberty.

Factors to watch include, obviously, a prior history of abuse, a pattern of inordinate amount of time spent with children, especially time spent without the presence of other adults, plus a fixation or particular interest in a child who seems lonelier or quieter than most.

Are there any other priests that have been accused of misconduct in the Tulsa Diocese that we have not heard about?

Allegations of inappropriate behavior have been raised concerning Frs. Eichhoff and Lewis and former priest John Jangam. These have been widely reported about in the local press during the past weeks. In addition, it has been reported to the Diocesan Counsel that an allegation of sexual abuse has been made to the authorities regarding a priest who has left the active ministry. The subject matter of that allegation has not been reported to the Diocese. Neither have the police contacted the Diocese for information.

In a recent comprehensive review of its files, the Diocese noted that there were allegations in the past regarding two priests who have since died and against one retired priest. That allegation has been brought to the attention of the authorities in the county in which the incident is alleged to have occurred. It is important to remember that despite the allegations of inappropriate behavior or abuse, no priest has been charged with any crime.

Is it possible that new allegations may yet surface?

Yes. It is always possible. If any new allegations are made, they will be taken seriously and pursued aggressively.

If there is enough evidence to pursue criminal charges against a priest, will the Church support and aid the state in its prosecution?

Yes. The Diocese and indeed the entire Catholic Church supports civil authorities in their responsibilities to safeguard the common good by enforcing criminal laws. If the Diocese should receive a request for assistance, we will make every effort to honor that request to the fullest extent possible.

Is the Diocese paying the legal fees of the accused priests?

No. Diocesan policy clearly states that an accused individual must obtain independent counsel on their own. The Diocese of Tulsa is not contributing anything to the defense or legal fees of Fr. Lewis or Fr. Eichhoff.

When a priest resigns - as in the case of Fr Lewis - is he still a priest?

Yes. Our understanding of the nature of the Sacrament of Holy Orders is that by it a man is configued in a new and permanent way to Christ, the Head of His Body, the Church. This cannot be undone. When we speak of an ex-priest or a defrocked priest, we mean a priest who has been returned to the lay state. This may be done at the man's request or by canonical actions taken by his Bishop and carefully outlined by Church law.

When we refer to a priest who is on 'administrative leave,' (or a 'leave of absence') we refer to a priest who has been released from the care of souls. It is up to his bishop to determine what - if any - restrictions are to be placed on him, for example, whether or not he may celebrate Mass publicly.

What do we say to our co-workers about these things?

Tell them the truth, but tell it with charity for the hearers (as well as for the abusers!) and with compassion for the victims. The presence of sin within the Church and of sinners who represent us before God, should not surprise anyone. Priests and bishops share in the priesthood of Christ, but He alone is holy. The rest of us - even Our Lady - have had to be redeemed from sin by Christ's death.

Justice, however, demands that the issues be spoken of with clarity and correctness, and that the innocence of the accused be presumed until proven otherwise. Unfortunately those of us who have our only source of information in the reports spun by the media will find it hard to separate fact from speculation or even to discern the sequence of events reported.

What should be done with priests who have been proven to be sexual abusers of minors?

Priests who are accused of the sexual abuse of minors and who are found guilty of their crimes will suffer the punishment imposed by our penal codes in the same way that any one else would be sentenced, without regard for his clerical status.

Tom Gordineer
Collinsville

Sharon Hagyari
Owasso

Terry Sue Barnett,
T.P.D. *Sperry*

DeAnn Rhea
Collinsville

What to do–
if you suspect child abuse

Oklahoma State law requires that you report any information or any suspicion that a child is suffering from sexual abuse to the Department of Human Services. The police should also be contacted if you think it appropriate. From anywhere in Oklahoma you can call **1-800-522-3511** or to find a specific number in your local community, call the **National Child Abuse Hotline** at **1-800-4-A-CHILD**. Suspicion of abuse is all that is necessary to file a report and your information can be given anonymously.

Victims of rape, abuse and incest can can call **1-800-656-HOPE**.

Parents who are struggling with issues of violence and stress can call **Parents Anonymous** at **1-800 421-0353.**

For information on all forms of child abuse, go to **www.child abuse.com** or check out the web site of Safeguarding Our Children, United Mothers at **www.soc-un.org/**

Books of interest include ***The Courage to Heal: A Guide for Women Survivors of Child Sexual Abuse***, by Ellen Bass and Laura Davis; Harper Collins, 1994; and ***Innocence Lost*** by Debbie Mahoney; West Coast Media Group, 2000.