

COPY

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

INDIVIDUAL SPECIFIC PROTOCOL
For

Richard W. Fassbinder

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15.

This ISP for _____ is as follows (PRA to initial all that apply):

1. ☐ Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.

2.

3.

4. ☐ The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is to intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested. The monitor will return the log forms at the end of each month to PRA.

5. ☐ Abide by the restriction of residence to _____

6. ____ No inappropriate use of computers, software, Internet capabilities, communications tools or technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.
7. ____ Must complete and submit the "Travel/Vacation Agreement" to PRA prior to a scheduled departure.
8. ____ Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of ____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.
9. ____ No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.
10. ____ Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').
11. ____ The right of defense must not involve the public life of the Church.
12. ____ On-site visits by PRA annually to include meeting with PRA and the cleric.
13. ____ On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.
14. ____ This ISP is to be reviewed annually with PRA, VP, and the cleric.
15. Because the private celebration of the Eucharist is possible, during the course of each week one of the Masses celebrated is to be for the intention of the priests of the Archdiocese of Chicago.
16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: _____ Date: _____

Printed Name: _____

Signature of PRA: _____ Date: _____

Signature of VP: _____ Date: _____

A copy of this Protocol will be kept on file in the Office of Professional Responsibility and on file in the Office of the Vicar for Priests.

CLERGY DAILY LOG

COPY

The Office of Professional Responsibility, pursuant to Article §1104.4.3, is responsible to “monitor programs for treatment, rehabilitation or supervision of clerics...”

The Individual Specific Protocol for: Richard W. Fassbinder

(Cleric Name)

requires that you keep a “log” of your daily activities. The “log” is completed daily and submitted to the Administrator at the end of each month for review. Include the place, the purpose of visit/trip/activity (i.e. Spiritual Direction, therapy), and the telephone number if it is appropriate. Please remember that this tool is intended to provide an accurate record of the day rather than a detailed clock.

<u>TIME</u>	<u>PLACE</u>	<u>TELEPHONE</u> (If appropriate)	<u>PURPOSE</u>
7:00 – 8:00 A.M.			
8:00 – 9:00			
9:00 – 10:00			
10:00 – 11:00			
11:00 – 12:00			
12:00 – 1:00 P.M.			
1:00 – 2:00			
2:00 – 3:00			
3:00 – 4:00			
4:00 – 5:00			
5:00 – 6:00			
6:00 – 7:00			
7:00 – 8:00			
8:00 – 9:00			
9:00 – 10:00			
10:00 – 11:00			
11:00 – 7:00 A.M.			

Client Signature: _____ Date: _____

Monitor Signature: _____ Date: _____

Date Received: _____

Rev. 7/15/03

Administrative Signature: _____

AOC 013254

TRAVEL/VACATION NOTIFICATION

COPY

_____ [name of cleric] has informed this office that he will be traveling to
_____ [destination address and contact phone number] from
_____ [departure date] through _____ [return date].
_____ [name of cleric] will be monitored by
_____ [name of travel monitor]. _____ [name of
travel monitor] has accepted the responsibility of verifying the location and activities of
_____ [name of cleric] during the aforementioned time frame. *

[see attached correspondence]

1. Contacts with minors by _____ [name of cleric] must be in the
presence of _____ [name of travel monitor]. Inappropriate situations
and locations incompatible with a priestly lifestyle are to be avoided.
2. _____ [name of travel monitor] may be asked to attest to the
activities and whereabouts of _____ [cleric name] over
_____ [aforementioned time frame].
3. As previously noted, the date of return to _____'s [cleric name]
residence has been scheduled for _____ [aforementioned return date].
However, due to weather conditions or emergencies that may arise, the date may be
changed. In the event of such a circumstance, should the original plans be
substantially changed, please contact PRA at [312] 751-5205.

Cleric Signature: _____ Date: _____

PRA Signature: _____ Date: _____

A copy of this document will be provided to the cleric. The original will be placed in the cleric's file in the Office of Professional Responsibility and a copy will be placed in the cleric's file in the Vicar for Priests' Office.

June 29, 1953

My dear Father Fassbinder,

I hereby appoint you assistant to the pastor of
St. Hugh Church, Lyons, Illinois.

You will kindly report for duty to Father Murray
on July 7th.

With blessing,

Archbishop of Chicago

Rev. Richard W. Fassbinder

2324 W. 112th St.

Chicago 43, Illinois

June 11, 1964

My dear Father **Fassbinder**:

I hereby appoint you assistant to
the pastor of **Queen of All Saints Parish, Chicago**,
transferring you from assistant to the pastor of
St. Hugh Parish, Lyons, Illinois.

You will kindly report for duty
on Thursday, June 25th, to **Msgr. Dolan, the Pastor**.

Wishing you every blessing, I
remain

Very sincerely yours in Christ,

+ *Albert Cardinal Meyer*

Archbishop of Chicago

Reverend **Richard W. Fassbinder**
St. Hugh Rectory
7939 W. 43rd Street
Lyons, Illinois



Priests file

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

file

Office of the Archbishop

February 15, 1967

Reverend Richard W. Fassbinder
Queen of All Saints Basilica
6280 N. Sauganaash
Chicago, Illinois 60646

Dear Father Fassbinder:

It gives me great pleasure to appoint you as Assistant to the Reverend John McLoraine, Pastor of St. Emily Church, 101 North Horner Lane, Mt. Prospect, Illinois, and in accordance with Canon 476, 3, to grant you the necessary faculties for the faithful discharge of that duty.

This appointment is effective immediately but I would ask you to make arrangements with the Pastor about the exact date when you will assume your new duties.

Wishing you every blessing and priestly success in this pastoral assignment, I am, dear Father Fassbinder,

Very truly yours in Christ,

Archbishop of Chicago

Chancellor

cc: Rev. John McLoraine

AOC 013258



Guest file

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

May 30, 1973

C

Reverend Richard W. Fassbinder
St. Emily Parish
101 N. Horner Lane
Mt. Prospect, Illinois 60056

Dear Father Fassbinder,

O

In accordance with Canon 476, and following the recommendation of the Clergy Personnel Board, His Eminence, Cardinal Cody, is pleased to appoint you as Vicarius Cooperator to

Reverend David J. Lynch, Pastor
Prince of Peace Parish - Lake Villa

P

and grants you the necessary faculties for the faithful discharge of that duty.

This appointment will be effective June 11, 1973, but I would ask you to make arrangements with the pastor about the exact date when you will assume your new duties.

Y

Wishing you every blessing and priestly success in this pastoral assignment, I am, dear Father Fassbinder,

Sincerely yours in Christ,

Vicar General and Chancellor

cc: Reverend David J. Lynch, Pastor - Prince of Peace Parish
Reverend John McLoraine, Pastor - St. Emily Parish

AOC 013259



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Vicar General

January 7, 1975

C

Reverend Richard W. Fassbinder
Prince of Peace Rectory
Box 265
Lake Villa, Illinois 60046

O

Dear Father Fassbinder:

Due to the illness of the Reverend David J. Lynch, Pastor of Prince of Peace Parish, Lake Villa, in accordance with Canon 475 of the Code of Canon Law and by special mandate of His Eminence, John Cardinal Cody, we are pleased to appoint you temporarily as Administrator of Prince of Peace Parish, Lake Villa, Illinois, with full spiritual and temporal administrative powers, and we heartily commend you to the good people there.

P

You will assume all the rights and obligations of the pastorate with the exception of the obligation of the Mass for the People, which remains with the Pastor, Father Lynch.

Y

This appointment is effective immediately and we wish you to begin your new duties as soon as possible.

Wishing you every blessing in this important office, we remain,

Sincerely yours in Christ,

Vicar General

Co-Chancellor

cc: Reverend David J. Lynch
bcc: Diocesan Clergy Personnel Board

AOC 013260



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

December 21, 1976

C

Reverend Richard W. Fassbinder
Prince of Peace Rectory
Box 265
Lake Villa, Illinois 60046

Dear Father Fassbinder:

O

Due to the retirement of the Reverend David J. Lynch, Pastor of Prince of Peace parish, Lake Villa, that parish will become vacant on January 1, 1977.

P

In accordance with Canon 455 of the Code of Canon Law and following the recommendation of the Diocesan Clergy Personnel Board, we are pleased to appoint you herewith as Pastor of Prince of Peace parish, Lake Villa, with full spiritual and temporal administrative powers, and we heartily commend you to the good people there.

Y

This appointment will become effective January 1, 1977, and, in accord with Archdiocesan policy, is valid for a term of six years, that is, to January 1, 1983. We wish you to take canonical possession of this parish as soon as this appointment becomes effective.

You will assume canonical possession and jurisdiction of the above-mentioned parish as soon as the Profession of Faith is taken (January 1 or thereafter, but not before) before the Urban Vicar, Rev. Msgr. Harry C. Koenig, acting as our Delegate according to the provisions of Canon Law.

Wishing you every blessing in this pastoral office, we remain,

Very truly yours in Christ,

+ John Card. Cody
Archbishop of Chicago

Chancellor

bcc: Diocesan Clergy Personnel Board

AOC 013261



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Vicar General

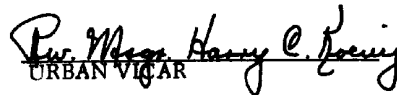
ATTESTATION OF ACT OF INSTALLATION
IN THE NAME OF THE MOST HOLY TRINITY, AMEN

Under the Roman Pontificate of His Holiness Pope Paul VI, His Eminence,
John Cardinal Cody, being Archbishop of Chicago, I do hereby attest that
the

REVEREND RICHARD W. FASSBINDER

duly appointed pastor whose letter of appointment bears the date of **December 21,**
1976, has on this date in accordance with Canon Law (Canon 461) and the
statutes of the Archdiocese of Chicago taken canonical possession of the
parish of

Prince of Peace
Lake Villa, Illinois


URBAN VICAR

DATE January 1, 1977



Office of the Archbishop

ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

FR. KEATING

(File Copy)

January 14, 1983

C
Dear Father Fassbinder:

I was pleased to receive your recent request to continue in a second term as Pastor of Prince of Peace parish, Lake Villa.

O
Your request has been supported by the recommendation of your Urban Vicar, of the Diocesan Clergy Personnel Board, and of your own fine record of priestly service to the good people of Prince of Peace parish, Lake Villa.

Accordingly, I am pleased to extend your appointment as Pastor of Prince of Peace parish, Lake Villa, for an additional six years, that is, to January 1, 1989.

P
I am very grateful to you for accepting this ministry. Be assured, too, of my own prayers and support. If ever there is anything I can do personally to assist you, please do not hesitate to call me. The various archdiocesan offices also stand ready to help you.

With cordial good wishes, I remain,

Y
Fraternally yours in Christ,

Archbishop of Chicago

Rev. Richard W. Fassbinder
Prince of Peace Church
P. O. Box 265
Lake Villa, Illinois 60046

cc: Rev. Msgr. Harry C. Koenig
cc: Diocesan Clergy Personnel Board

+JLB:JRK/ ag

AOC 013263



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979
CHICAGO, ILLINOIS 60690

Office of the Archbishop

December 29, 1988

Dear Dick:

I am aware that your term of office as Pastor is nearing its conclusion. As you know, we are presently in the process of reviewing this term, and I am in need of further consultation with your Vicar and Dean.

I hereby extend your term as Pastor until such time as we will be able to meet and discuss this matter further. Bishop Gorman and Father Zavaski are presently working on an evaluation process for Pastors in their twelfth year. If they have not been in contact with you already concerning this, they will be doing so in the near future.

Father Ken Velo will also be contacting you concerning an appointment with me. Be assured of my gratitude for all you have done at the parish.

I take this occasion to extend to you my best wishes for a blessed New Year.

Sincerely yours in Christ,

Joseph Carl Bernardini
Archbishop of Chicago

Reverend Richard W. Fassbinder ⁵⁰⁴
Pastor, Prince of Peace Parish
Box 265
Lake Villa, Illinois 60046

cc: Most Rev. John R. Gorman
Rev. William J. Zavaski
Clergy Personnel Board ✓

AOC 013264



ARCHDIOCESE OF CHICAGO

POST OFFICE BOX 1979

CHICAGO, ILLINOIS 60690

Office of the Archbishop

June 6, 1989

Dear Father Fassbinder:

Following our recent discussion, and based upon the recommendations I have received from Bishop Gorman and Father Zavaski in consultation with the Priests' Personnel Board, I hereby appoint you to another six-year term as Pastor of Prince of Peace Parish, Lake Villa.

It is my understanding that you will begin to develop the Finance Council and Parish Council, as well as the Stewardship Program and a Long-range Planning Committee. I am sure that these structures will assist you in the overall administration of the parish and will involve more people in this growing faith community.

Dick, the evaluation in which you have recently taken part affirmed your many talents and highlighted the fact that you are well-liked and respected by your parishioners. Your warmth, care and enthusiasm have been the hallmarks of your pastorate at Lake Villa. I would like to express my deep gratitude for the important work you have done and for the leadership and service you have offered to the parish.

May you be renewed in your efforts to love the Lord and live the Gospel. Know of my prayers, support and affection as your term of office is renewed.

With cordial good wishes, I remain

Sincerely yours in Christ,

Archbishop of Chicago

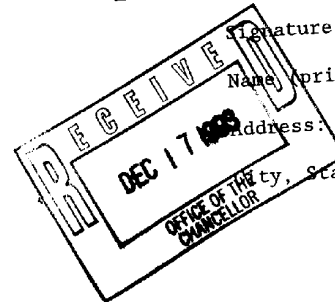
Reverend Richard Fassbinder, Pastor ³⁰⁴
Prince of Peace Parish
Post Office Box 265
Lake Villa, Illinois 60046

cc: Bishop Gorman
Father Zavaski
Priests' Personnel Board ✓
Office of Research and Planning

Please check one:

☒ I acknowledge that I have read and am familiar with the Archdiocesan policies regarding sexual misconduct with minors, adopted September 21, 1992.

☐ Please send me a copy of these policies and procedures.



Signature: _____

Name (printed): _____

Address: _____

City, State, Zip: _____

Richard Fassbinder

RICHARD FASSBINDER

P.O. Box 265

Zak Vill., Ill. 60046

Rev. Richard Fassbinder

Diocesan Priests' File Checklist

- ☒ Acknowledgement of Misconduct Policies, dated 12/17/93
- ☒ Curriculum Vitae, dated 1/15/66 + 7/30/88
- ☐ Last Will & Testament, dated _____
- ☐ Personal Inventory, dated _____
- ☐ Photo (for assignment card kept in Suzie's office)

Please list any other important documents that are in this file:

ARCHDIOCESE OF CHICAGO

Office of the Archbishop



Post Office Box 1979
Chicago, Illinois 60690

January 11, 1995

Dear Father Fassbinder:

In light of your discussion with Bishop Goedert and the recommendation I have received from the Priests' Placement Board, I hereby appoint you to a third term as pastor of Prince of Peace Parish, Lake Villa, until your retirement which, under present policy, is anticipated on your seventieth birthday or the December 31st thereafter.

Also, the recommendation that your term be extended was made on the condition that a Parish Pastoral Council be established at Prince of Peace. Know that Bishop Goedert and the offices and agencies of the Archdiocese stand ready to assist you in order to accomplish this request.

Dick, I am deeply appreciative for all you have done at Prince of Peace thus far. It is my hope that these next years will be filled with much satisfaction for you and those entrusted to your care.

Be assured of my continued encouragement and support, as well as my gratitude.

With cordial good wishes, I remain

Sincerely yours in Christ,

Joseph Carl Bernardin
Archbishop of Chicago

David M. Lyons, O.P.
Ecclesiastical Notary

Reverend Richard W. Fassbinder
Prince of Peace Parish
P.O. Box 265
Lake Villa, Illinois 60046

cc: Most Reverend Raymond E. Goedert, Episcopal Vicar
Reverend William J. Zavaski, Dean
Diocesan Priests' Placement Board ✓

AOC 013268

ARCHDIOCESE OF CHICAGO

Diocesan Administrator



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax (312) 337-6379

February 3, 1997

Dear Dick,

It was good to meet with you on Wednesday, January 29th. As I mentioned at our meeting, I am writing to you as a follow-up to our discussion.

We agreed you would retire on April 15, 1997. As the time draws near, I will be writing a more formal letter to name you Pastor Emeritus.

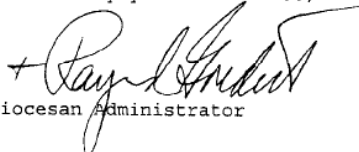
Please speak with Father Charles Kelly of the Priests' Retirement and Mutual Aid Association regarding your pension benefits and other necessary arrangements.

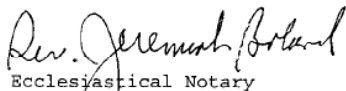
I am sending a copy of this letter to the Priests' Placement Board so that the process to select a successor can begin. You have indicated that you will be living independently. I will have the Board include this in the Parish Profile so that the applicants will be appropriately informed.

Dick, I wish to thank you for all you have done during your 43 years of priesthood and especially for your leadership and service at Prince of Peace Parish. Know of my continued prayers and support, as well as my gratitude.

With cordial good wishes, I remain

Faternally yours in Christ,


Diocesan Administrator


Ecclesiastical Notary

Reverend Richard W. Fassbinder
Prince of Peace Parish
P O Box 265
Lake Villa, Illinois 60046

AOC 013269

Reverend Richard W. Fassbinder
February 3, 1997 - Page Two

cc: Archbishop of Chicago - file
Reverend R. Peter Bowman, Vicar for Administration
Reverend Thomas J. Paprocki, Chancellor
Reverend Daniel P. Coughlin, Vicar for Priests
Most Reverend Timothy J. Lyne, Vicar for Senior Priests
Most Reverend Gerald Kicanas, Vicar
Reverend Farrell Kane O.Carm, Dean
✓Diocesan Priests' Placement Board
Reverend Charles F. Kelly, PRMAA
Reverend Patrick Pollard, PRMAA

ARCHDIOCESE OF CHICAGO

Diocesan Administrator



Post Office Box 1979
Chicago, Illinois 60690-1979

(312) 751-8271
Fax (312) 337-6379

April 1, 1997

Dear Dick,

In light of our discussion and previous correspondence, I am pleased to hereby name you Pastor Emeritus of Prince of Peace Parish in Lake Villa. This is effective April 15, 1997.

I take this occasion to express my gratitude for all you have done through your 43+ years of service to the Archdiocese and for all you have done recently at Prince of Peace parish. The Church of Chicago is deeply appreciative for your faithful and devoted care of God's people.

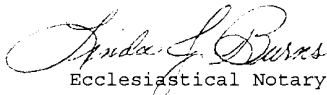
Please contact Father Charles Kelly of the Priests' Retirement and Mutual Aid Association to discuss your retirement benefits if you have not already done so.

Dick, may you enjoy your years of retirement and know of our appreciation and gratitude for all you have given of yourself to minister to those entrusted to your care.

With cordial good wishes, I remain

Sincerely yours in Christ,


Diocesan Administrator


Ecclesiastical Notary

Reverend Richard W. Fassbinder
Prince of Peace Parish
P O Box 265
Lake Villa, Illinois 60046

AOC 013271

Reverend Richard W. Fassbinder
April 1, 1997 - Page Two

cc: Archbishop of Chicago - file
Reverend R. Peter Bowman, Vicar for Administration
Reverend Thomas J. Paprocki, Chancellor
Reverend Daniel P. Coughlin, Vicar for Priests
Most Reverend Timothy Lyne, Vicar for Senior Priests
Most Reverend Gerald Kicanas, Vicar
Reverend Farrell Kane O.Carm, Dean
✓ Diocesan Priests' Placement Board
Reverend Charles F. Kelly, PRMAA
Reverend Patrick Pollard, PRMAA
Reverend Richard Yanos, Pastor
Diocesan Priests' Placement Board

[REDACTED]

November 20, 2001

[REDACTED]

Archdiocese of Chicago
Office of the Chancellor
P. O. Box 1979
Chicago, IL 60690

RE: [REDACTED] v. REVEREND RICHARD W. FASSBINDER and ARCHDIOCESE OF CHICAGO

To Whom it May Concern:

Please be advised that I represent [REDACTED] in his claim against REVEREND RICHARD W. FASSBINDER and the ARCHDIOCESE OF CHICAGO for acts of childhood sexual abuse that occurred when Mr. [REDACTED] was a student at the Prince of Peace Church in Lake Villa, IL.

Please be advised that I claim a lien for my services as attorney for the above-captioned individual, and I ask that someone contact me before November 30, 2001 to discuss a reasonable resolution to this claim.

Sincerely yours,

[REDACTED]
Attorney at Law

[REDACTED]
cc James A. Serritella, Esq.

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Called [REDACTED]

11-27. left message R

received
11-26-01

To: File
From: Jim Kaczorowski
Date: November 30, 2001
Re: Rev. Richard Fassbinder

Today I called Father Fassbinder regarding a claim filed against him by [REDACTED] for acts of child abuse. This should have occurred when [REDACTED] was a student at Prince of Peace in Lake Villa during Father Fassbinder's pastorate. When I spoke with Fr. Fassbinder he totally denied the allegation and mentioned that [REDACTED] [REDACTED] Next week I will be meeting with Father Fassbinder to talk about this claim against him.

Victim Statement Abstract (FAS-CB15-00018)

This abstract replaces the Allegations of Sexual Misconduct with a Minor and summary prepared by Kathleen Leggdas, Administrator of the Archdiocese of Chicago's Office of Professional Fitness Review, of Victim MJ, given to Ms. Leggdas on December 10, 2001, formalizing his allegations of abuse against Fr. Richard Fassbinder. According to the memorandum, Victim MJ met Fassbinder at Prince of Peace Church when Victim MJ was in his early teens. Victim MJ stated that he had a relationship with Fassbinder from 1972 through 1992, which consisted of oral sex and several overnight trips.

COPY

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: File – PFR-80

From: Kathleen Leggdas, Administrator

Re: Father Richard Fassbinder Response to Allegation
of Sexual Misconduct With a Minor Made by [REDACTED]

Date: December 11, 2001

Present at Meeting:

Rev. Richard Fassbinder [RF], accused
Rev. James Kaczorowski, Vicar for Priests
Kathleen Leggdas, Professional Fitness Review Administrator [PFRA]

General Information:

Father Fassbinder was assigned as an Associate at Prince of Peace in Lake Villa, Illinois from 1973 – 1976. In 1976 he was named Pastor until he retired in 1998. He is currently living in Leisure Village in a Town House in Fox Lake, Illinois.

He openly admitted having a sexual relationship with [REDACTED] but vehemently insisted it was not sexual until [REDACTED] was 18 years old. In checking the “math” from the years in high school and [REDACTED]’s date of birth, he would in fact have been 16 or seventeen in 1974 when the relationship began. Father agreed to the conclusion although denying he knew [REDACTED] was a minor.

Response to Allegation:

Father Fassbinder recalls that the sexual relationship he had with [REDACTED] extended from 1974 through 1988 and that RF was the one to “walk away” from [REDACTED]

He recalls that [REDACTED] was a senior in high school [REDACTED]. RF recalls “trying to get the guy [REDACTED] he describes [REDACTED] as intelligent [REDACTED]”

RF estimates that he performed oral sex on [REDACTED] 10-20 times over the years. He denies that [REDACTED] ever performed oral sex on him. He also denies sodomy. He admitted to taking nude polaroids of [REDACTED] over the years but insists he destroyed all of them years ago.

█ describes RF as his "life-time counselor." █
█

RF did not recognize the name █. He did and continues to keep in touch with █. He denies any other sexual relationship with minors.

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Mr. John O'Malley, Legal Services

To: File

From: Jim Kaczorowski

Date: December 11, 2001

Re: Richard Fassbinder

Today I visited Richard Fassbinder who is pastor emeritus of Prince of Peace in Lake Villa, IL. Having been retired four years, Father Fassbinder is presently living in a closed retirement community in Fox Lake. He is not involved in any public ministry. Mass is celebrated privately in his home.

I received a copy of the allegation filed by [REDACTED], age 43, which was sent to the Chancellor's office. The allegation was forwarded by his attorney, [REDACTED] claiming that his client, as a minor, was sexually abused by Father Fassbinder while he was pastor at Prince of Peace. Father Fassbinder admitted having oral sex about 20 times with [REDACTED] between 1974 and 1989. He gave the latter money which unfortunately supported [REDACTED]. Fr. Fassbinder also revealed having taken nude photos of [REDACTED] during this time. These were thrown out many years ago. On one occasion Fr. Fassbinder took [REDACTED] to Wisconsin for an overnight.

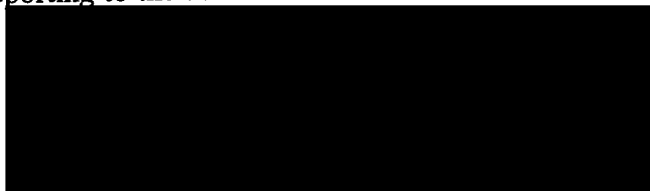
[REDACTED] Fr. Fassbinder saw [REDACTED] about six months ago in a restaurant at Fox Lake. Over the years [REDACTED] would call periodically for money. Fr. Fassbinder complied by giving him monies in \$10 and \$20 increments. Father also supported [REDACTED]'s family [REDACTED]. Father Fassbinder now owns the stupidity this type of behavior manifests. He claims that [REDACTED] is the only person with whom he had relations.

IMPORTANT NOTICE

You have a right to report accusations of child abuse to the Illinois Department of Children and Family Services. (The Department of Children and Family Services "hotline" telephone number is 1-800-252-2873). You also have a right to report such accusations to the State's Attorney's Office or other law enforcement agencies. (The Cook County State's Attorney's telephone number is (312) 443-5440; the Lake County State's Attorney's telephone number is (708) 360-6644). If you have any questions as to how to make such a report you may refer those questions to the Department of Children and Family Services or the State's Attorney's Office.

I have read and understood the above notice. A representative of the Archdiocese has given me a copy of the Department of Children and Family Services brochure describing the child abuse reporting laws. The representative of the Archdiocese whose name appears below has not discouraged me in any way from reporting to the authorities.

12/11/01
Date



Print Name

I presented a copy of this "Important Notice" and a copy of the Department of Children and Family Services brochure describing the child abuse reporting laws to the person whose printed name and signature appears above, on the date indicated in this document.

12/10/01
Date

Kathleen Legolas
Signature

Kathleen Legolas
Print Name

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: File

From: Rev. Thomas J. Paprocki, Archbishop's *TOP*
Delegate to the Review Board

Re: Rev. Richard Fassbinder – Review Board Meeting -
First Stage Review

Date: December 15, 2001

The Review Board considered the allegation of [REDACTED] against Rev. Richard Fassbinder.

In light of Father Fassbinder's acknowledgement of a sexual relationship with [REDACTED] when he was a minor, the Board determined that there was reasonable cause to suspect sexual misconduct with a minor.

Father Fassbinder is retired from active ministry and does not currently say Mass publicly. The Board recommends that Father Fassbinder be restricted from any public ministry, that a monitoring protocol be established, and that Father Fassbinder [REDACTED] and that he not be in the presence of minors alone.

In anticipation of the Second Stage Review, the Board asked Kathleen Leggdas to investigate whether any parish funds were given to [REDACTED] (cf. audit of parish).

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
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Professional Fitness Review Board

Saturday, December 15, 2001
10:00 – 12:00

MINUTES

Review Board Members Present:



Absent:

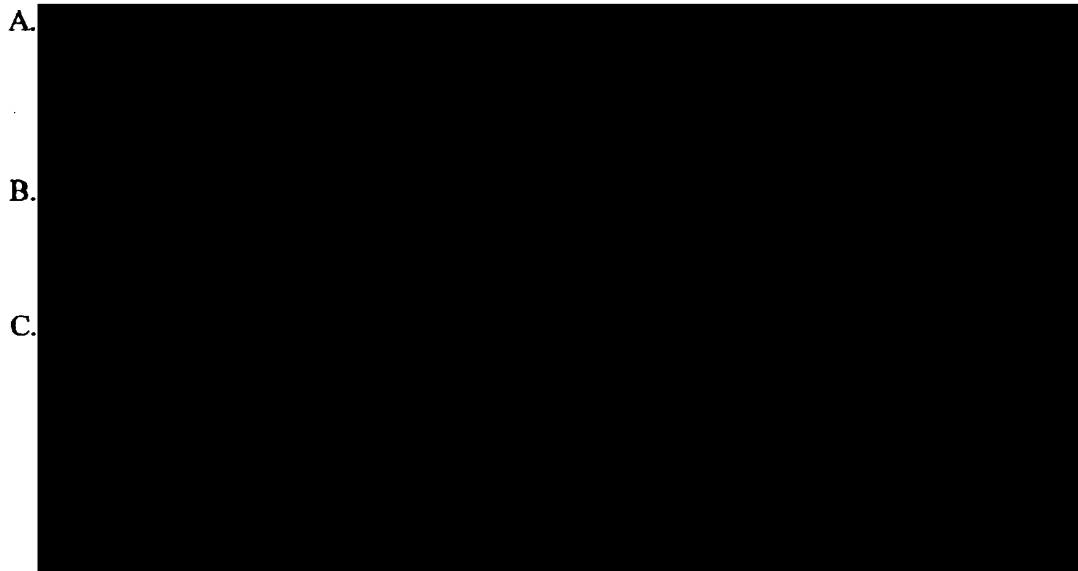


Non-members present:

Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Kathleen Leggdas, Professional Fitness Review Administrator

I. Approval of Minutes from October 20, 2001 Meeting

II. Case Reviews



D.

E.

F. In the Matter of Rev. Richard Fassbinder, PFR-80

The Review Board conducted a First Stage Review of the allegation of [REDACTED]
[REDACTED] against Rev. Richard Fassbinder.

In light of Father Fassbinder's acknowledgement of a sexual relationship with [REDACTED] when he was a minor, the Board determined that there was reasonable cause to suspect sexual misconduct with a minor.

Father Fassbinder is retired from active ministry and does not currently say Mass publicly. The Board recommends that Father Fassbinder be restricted from any public ministry, that a monitoring protocol be established, and that Father Fassbinder [REDACTED] [REDACTED] and that he not be in the presence of minors alone.

In anticipation of the Second Stage Review, the Board asked Kathleen Leggdas to investigate whether any parish funds were given to [REDACTED] (cf. audit of parish).

Next regularly scheduled meeting is January 19, 2002 at 10:00 a.m.

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to Review Board
Rev. Larry McBrady, Vicar for Priests
Rev. James Kaczorowski, Vicar for Priests

**OFFICE OF PROFESSIONAL FITNESS REVIEW
CLIENT INFORMATION SHEET**

(Revised 5/26/99)
Client.Info/LNP

FILE #: PFR-80

REVIEW STATUS: (DATE)

Opened Date: 12/15/01

1st Stage: 12/15/01

Closed Date: _____

2nd Stage: _____

Supplementary: _____

1. **Name:** Richard Fassbinder

Date Ordained: 5/1/53

Birth Date:

Current S/S #:

2. **Current Residence:** _____

Address: **Date:** 2/15/02

Telephone: Home:

Office: _____ **Pager:** _____

3. **Ministry:** _____

Status (Check one) **Date:** 4/15/97

Active: _____

Deceased: _____

Resigned: _____

Withdrawn: _____

Other: Retired

4. **Allegation(s):**

Date: 12/10/01 **Date of the Offense(s):** 1973 - 1988

Sex/Age
M/16

Credibility:
Yes ✓ **No** _____

5. **General Nature of Allegation(s):**

Oral sex with a minor male

6. **Protocol:** 1/2/02

Original Date: 1/2/02

Review Dates:

Review Dates:

7. **Assessment(s):**
Source: _____ **Date:** _____ **Report on File: (?)** _____ **Date Received:** _____

8. **Therapy:**
Source: _____ **Start Date:** _____ **Quarterly Report:** _____ **Date Received:** _____

9. **Education:**
 MA. - Seminary

10. **Ministerial Assignments:**
 St. Hugh, Lyons, IL _____
 Queen of All Saints/Sauganash, Chicago, IL _____
 St. Emily, Mt. Prospect, IL _____
 Prince of Peace, Lake Villa, IL _____

11. **Family Composition:**
Parents: Deceased _____
Siblings: _____

12. **Monitors:** _____ **Address:** _____ **Phone:** _____

13. **Emergency Contacts:**
1st _____ **Relationship:** Close friend **Home #:** _____ **Work #:** _____
2nd _____ **Relationship:** _____ **Home #:** _____ **Work #:** _____

14. **Other Concerns:** _____

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
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Fax: (312)751-5279

December 20, 2001

Francis Cardinal George
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

Please be advised that the Professional Fitness Review Board met on December 15, 2001 to conduct a First Stage Review pursuant to Article 1104.8 of the Review Process For Continuation of Ministry. The Board considered the allegation of [REDACTED] against Rev. Richard Fassbinder.

In light of Father Fassbinder's acknowledgement of a sexual relationship with [REDACTED] when he was a minor, the Board determined that there is reasonable cause to suspect sexual misconduct with a minor.

Father Fassbinder is retired from active ministry and does not currently say Mass publicly. The Board recommends the following:

- That Father be restricted from any public ministry
- That a monitoring protocol be established by the Board
- [REDACTED]
- That Father not be in the presence of minors unless another responsible is present.
- That Father meet with the Fitness Review Administrator twice annually.

If you have any questions with regard to these recommendations, please call at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Leggdas".

Kathleen Leggdas
Professional Fitness Review Administrator

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Mr. John O'Malley, Office of Legal Services

AOC 013285

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: File – PFR-80

From: Kathleen Leggdas, Administrator

Re: **Rev. Richard Fassbinder**

Date: December 20, 2001

A summary of the discussion from the Professional Fitness Review Board Meeting on December 15, 2001:

The Review Board conducted a First Stage Review of the allegation of [REDACTED] against Rev. Richard Fassbinder.

In light of Father Fassbinder's acknowledgement of a sexual relationship with [REDACTED] when he was a minor, the Board determined that there was reasonable cause to suspect sexual misconduct with a minor.

Father Fassbinder is retired from active ministry and does not currently say Mass publicly. The Board recommends that Father Fassbinder be restricted from any public ministry, that a monitoring protocol be established, and that Father Fassbinder obtain [REDACTED] and that he not be in the presence of minors alone.

In anticipation of the Second Stage Review, the Board asked Kathleen Leggdas to investigate whether any parish funds were given to [REDACTED] (cf. audit of parish).

COPY

ARCHDIOCESE OF CHICAGO

Office of the Cardinal



Post Office Box 1979
Chicago, Illinois 60690-1979

January 3, 2002

Ms. Kathleen Leggdas
Professional Fitness Review Administrator
Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611

Dear Ms. Leggdas,

Thank you for your three letters of December 20, 2001. I'm grateful for the change of protocol concerning Father [redacted] and recognize the decision that you've made concerning the allegations against the late Father [redacted].

Your letter concerning Father Richard Fassbinder sets out a number of recommendations as a result of Father Fassbinder's past sexual relationship with [redacted]. In the light of Father Fassbinder's acknowledgement, I fully accept the recommendations that you outline and rely upon you and the Vicars for Priests to see to their implementations.

I'm most grateful for the good work that you do in very difficult cases. My prayer is that you will have a truly blessed New Year and that the gratitude of this local Church, so seldom expressed by reason of circumstances, will nevertheless be felt by you.

Sincerely yours in Christ,

A handwritten signature in cursive script, reading "Francis Cardinal George".

Francis Cardinal George, O.M.I.
Archbishop of Chicago

cc: Bishop Goedert
Vicar for Priests

AOC 013287

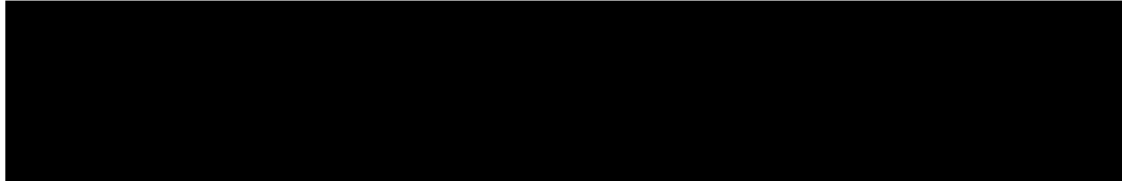
Phone Conversation – PFR-80

Date: 1/15/02

Time: 11:30 a.m.

To: Mark Cosentino

- Requested information on audit results on Prince of Peace when Fr. Fassbinder left.

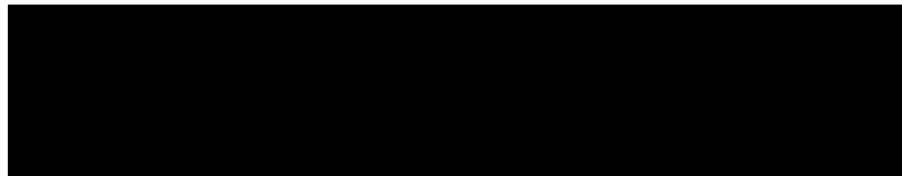


Date: 2/15/02

Time: AM

To: Richard Fassbinder

- Regarding use of parish funds for [REDACTED].
- Personal money given not Parish [REDACTED]
- [REDACTED]



MEMO


To: File

From: Jim Kaczorowski

Date: January 17, 2002

Re: Richard Fassbinder

I called Richard Fassbinder and informed him of the restrictions placed upon him in the protocol issued by the PFR Office. These are a result of the sexual allegations filed against him. Kathleen Leggdas will send Father Fassbinder the protocol and further explain the conditions. In essence he cannot be in the presence of minors without another adult present, he cannot engage in public ministry, and will need to meet with Kathleen Leggdas twice a year.



COPY

ARCHDIOCESE OF CHICAGO

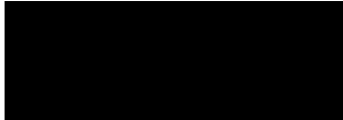
Office of Professional Fitness Review
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Chicago, Illinois 60611



Post Office Box 1979
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Fax: (312)751-5279

February 6, 2002



Dear Mr. [REDACTED]

Please be advised that the Professional Fitness Review Board met on December 15, 2001 to conduct a First Stage Review pursuant to Article 1104.8 of the Review Process For Continuation of Ministry. The Board considered all oral and written information available concerning your allegation of sexual misconduct with a minor against Rev. Richard Fassbinder as well as his response.

Based on the information presented, the Review Board recommended the establishment of an Individual Specific Protocol. Father Fassbinder is retired from active ministry. Subsequently, the Board recommended the following:

- That Father be restricted from any public ministry without approval from Fitness Review Administrator and Vicar for Priests.
- [REDACTED]
- That Father not be in the presence of minors unless another responsible adult is present.
- That Father meet with the Fitness Review Administrator twice annually.

This monitoring protocol will be in place for as long as Father Fassbinder remains a priest in the Archdiocese of Chicago.

I sincerely hope this knowledge will be helpful to you in your efforts to put closure on the matter. Remember, please, that the Victim Assistance Program is available to you through Dr. Michael Bland (312.751.8267).

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Leggdas".

Kathleen Leggdas
Professional Fitness Review Administrator

AOC 013290



**Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611
312-751-5205**

**INDIVIDUAL SPECIFIC PROTOCOL
For
Father Richard Fassbinder**

The Individual Specific Protocol (ISP) reflects the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations.

Professional Fitness Review clients will be subject to appropriate restrictions and monitoring by the Professional Fitness Review Administrator (PFRA) throughout the life of the individual as a priest/deacon in the Archdiocese of Chicago.

The ISP for **Fr. Richard Fassbinder** includes but is not limited to the following:

1. Restricted from being alone with minors without the presence of another responsible adult.
2. 
3. 
4. Meet with PFRA twice annually
5. Submit monthly report of sites visited on the Internet to PFRA.
6. Restricted from any public ministry without prior approval from PFRA and Vicar for Priests.
7. This is a working document which can be changed, altered or superceded when there is an indicated need to do so.

received
1-17-02 LNF

I have reviewed, understand, and agree to all requirements of this Protocol.

Signed: Richard Fassbinder Date: 2-15-2002

Printed Name: RICHARD FASSBINDER

Signature of PFRA: Kathleen Deagdan Date: 1-17-02

A copy of this Protocol will be kept on file in Professional Fitness Review and Vicar for Priests Offices.

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611
312-751-5205

COPY

INDIVIDUAL SPECIFIC PROTOCOL
For
Father Richard Fassbinder

The Individual Specific Protocol (ISP) reflects the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations.

Professional Fitness Review clients will be subject to appropriate restrictions and monitoring by the Professional Fitness Review Administrator (PFRA) throughout the life of the individual as a priest/deacon in the Archdiocese of Chicago.

The ISP for **Fr. Richard Fassbinder** includes but is not limited to the following:

1. Restricted from being alone with minors without the presence of another responsible adult.
2. [REDACTED]
3. [REDACTED]
4. Meet with PFRA twice annually
5. Submit monthly report of sites visited on the Internet to PFRA.
6. Restricted from any public ministry without prior approval from PFRA and Vicar for Priests.
7. This is a working document which can be changed, altered or superceded when there is an indicated need to do so.

received
1-17-02 LNP

I have reviewed, understand, and agree to all requirements of this Protocol.

Signed: Richard Fassbinder Date: 2-15-2002

Printed Name: RICHARD FASSBINDER

Signature of PFRA: Kathleen Reagolan Date: 1-17-02

A copy of this Protocol will be kept on file in Professional Fitness Review and Vicar for Priests Offices.

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: File

From: Rev. Thomas J. Paprocki, Archbishop's Delegate
to the Professional Fitness Review Board *TPP*

Re: **Review Board Meeting, Second Stage Review**
Rev. Richard Fassbinder

Date: February 16, 2002

At the First Stage Review, the Review Board asked Kathleen Leggdas to inquire whether an audit of the parish had been done and whether any financial improprieties were uncovered during the tenure of Father Fassbinder's pastorate.

The Finance Department of the Archdiocese did conduct an audit of the parish and no financial improprieties were identified.

In light of the fact that there was no new or contradictory information, the Review Board affirmed the First Stage Review that there was reasonable cause to suspect sexual misconduct with a minor.

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



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Professional Fitness Review Board

Saturday, February 16, 2002
10:00 – 12:00

MINUTES

Review Board Members Present:



Absent:



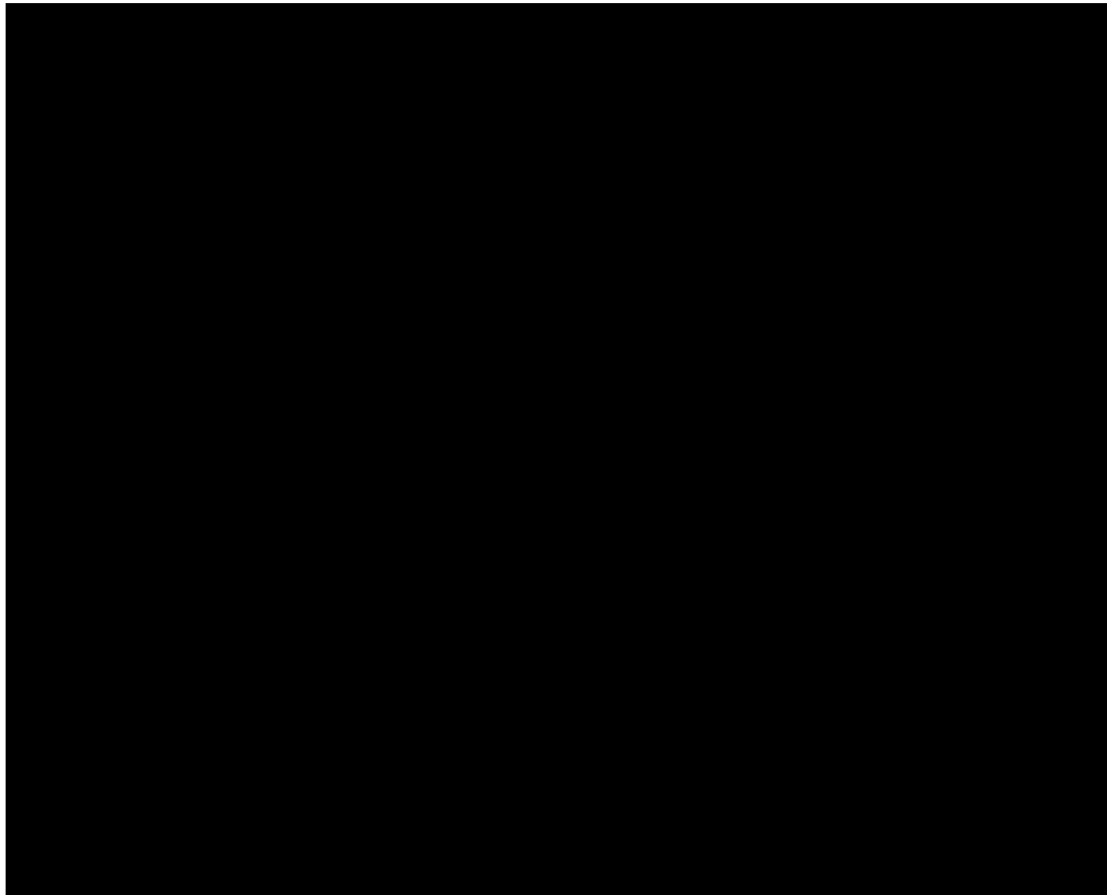
Non-members present:

Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Kathleen Leggdas, Professional Fitness Review Administrator

I.

II.

III.



B



C. In the Matter of Rev. Richard Fassbinder, PFR-80

At the First Stage Review, the Review Board asked Kathleen Leggdas to inquire whether an audit of the parish had been done and whether any financial improprieties were uncovered during the tenure of Father Fassbinder's pastorate.

The Finance Department of the Archdiocese did conduct an audit of the parish and no financial improprieties were identified.

In light of the fact that there was no new or contradictory information, the Review Board affirmed the First Stage Review that there was reasonable cause to suspect sexual misconduct with a minor.

D.



IV.



Next regularly scheduled meeting is March 14, 2002 at 10:00 a.m.

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to Review Board
Rev. Larry McBrady, Vicar for Priests
Rev. James Kaczorowski, Vicar for Priests

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
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Professional Fitness Review Board

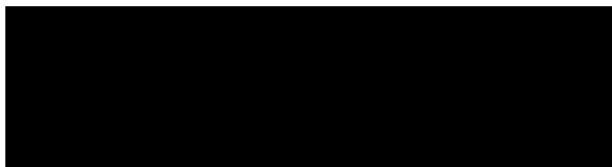
Saturday, February 16, 2002
10:00 – 12:00

AGENDA

I. Approval of December 15, 2001 Minutes

II. Introduction of new Board Members

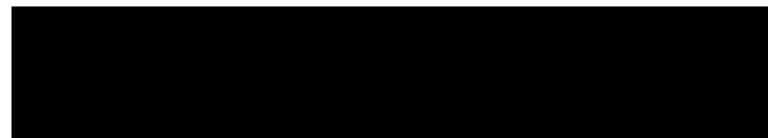
A.



B.

C. In the Matter of Rev. Richard Fassbinder, PFR-80

D.



III.



IV. Other

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Memorandum

To: PFR-80

From: Kathleen Leggdas, Administrator

Re: **Rev. Richard Fassbinder**

Date: February 20, 2002

A summary of the discussion from the Professional Fitness Review Board Meeting, February 16, 2002:

At the First Stage Review, the Review Board asked Kathleen Leggdas to inquire whether an audit of the parish had been done and whether any financial improprieties were uncovered during the tenure of Father Fassbinder's pastorate.

The Finance Department of the Archdiocese did conduct an audit of the parish and no financial improprieties were identified.

In light of the fact that there was no new or contradictory information, the Review Board affirmed the First Stage Review that there was reasonable cause to suspect sexual misconduct with a minor.



ARCHDIOCESE OF CHICAGO

COMPLIANCE WITH MONITORING PROTOCOLS

Name of cleric: Richard Fassbinder Year of ordination: 1953 Age: 75

Current ministerial assignment (if any): Retired

Current place of residence: 7128 San Taupez, Fox Lake, Illinois 60020

According to Archdiocesan policy §1104.12.2, a cleric who has engaged in sexual misconduct with a minor will be subject to appropriate monitoring for the remainder of his life as a cleric of the Archdiocese and his file shall remain open. Policy §1104.12.3 provides that monitoring programs and protocols should be applied on a case by case basis but must include certain essential components. This worksheet indicates whether there is compliance with these essential elements, as follows:

- Continuing jurisdiction and oversight by the Review Board with periodic evaluation and reports to the Archbishop: (circle one) **YES** NO

Description of continuing oversight: Meet with Professional Fitness Review Administrator semi-annually

Date of last evaluation and report: December 15, 2002

- A written protocol signed by the cleric, which sets forth the particular requirements applicable to him: (circle one) **YES** NO

Date of current written and signed protocol: February 15, 2002

- Restrictions from being alone with anyone under the age of 18: (circle one) **YES** NO

- Periodic physical evaluation and psychological reports determined by the Review Board:
(Circle one) YES NO

Date of most recent physical evaluation: _____

Date of most recent psychological report: In progress

- Regular individual spiritual direction: (circle one) YES NO

Name of Spiritual Director: _____

Frequency of meetings: _____ Date of most recent meeting: _____

- Communication with leaders and others as appropriate in the cleric's residence or place of ministry in order that they are meaningfully apprised and able to assist in the program:

(Circle one) YES **NO**

With whom? In retirement village

- Does the cleric use the Internet? (circle one) YES **NO**

If yes, does he provide the Professional Fitness Review Administrator with a monthly printout of Internet sites visited? (Circle one) YES NO

Other monitoring provisions or restrictions: _____

Signature of Professional Fitness Review Administrator

March 14, 2002

Date

3/14/02

Client Case Review
Professional Fitness Review Office
March 14, 2002

PFR-80 Rev. Richard Fassbinder

One allegation has been made against Father Fassbinder. The relationship extended from 1973, when the victim was 16 years old, to 1988. The allegation is of mutual oral sex. [REDACTED]

[REDACTED] He has a written protocol and is restricted from public ministry. He has no on-site monitor.

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



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Fax: (312)751-5279

Memorandum

To: File

From: Rev. Thomas J. Paprocki, Archbishop's Delegate
to the Professional Fitness Review Board *TPP*

Re: **Rev. Richard Fassbinder**
Review Board Meeting – Supplementary Review

Date: March 16, 2002

At Cardinal George's request, the Board conducted a supplementary review of Father Fassbinder's monitoring protocol.

The Board tabled this discussion pending [REDACTED] currently in progress.

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

Professional Fitness Review Board

Saturday, March 16, 2002

MINUTES

Review Board Members Present:



Absent:

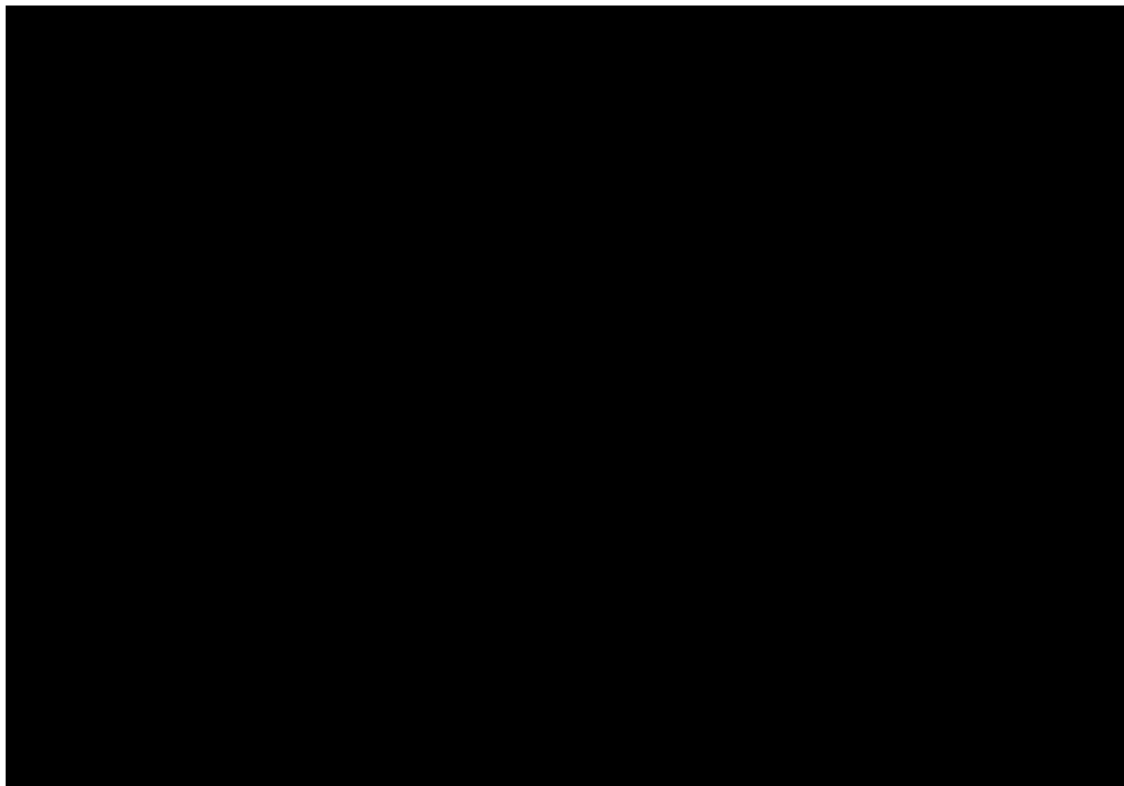


Non-members present:

Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Kathleen Leggdas, Professional Fitness Review Administrator

I. Case Reviews in light of Cardinal's request for Supplementary Reviews

A.



B.

C.

D.

E.

F.

G.

H.

I.

J. In the Matter of Rev. Richard Fassbinder, PFR-80

At Cardinal George's request, the Board conducted a Supplementary Review of Father Fassbinder's monitoring protocol.

¹ The Board tabled this discussion

K.



II. Budget Review Postponed to April Meeting

Next regularly scheduled meeting is April 20, 2002

Cc: Members of the Review Board
Rev. Thomas J. Paprocki, Cardinal's Delegate to Review Board
Rev. Larry McBrady, Vicar for Priests
Rev. James Kaczorowski, Vicar for Priests

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
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March 25, 2002

Francis Cardinal George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, IL 60611

Dear Cardinal George,

Please be advised that the Review Board met on February 16, 2002. The Board fully considered all oral and written reports in the matter of Rev. Richard Fassbinder in a Second Stage Review pursuant to Article 1104.10 of the Policies and Procedures for Determination of Fitness for Ministry.

In light of the fact that there is no new or contradictory information, the Review Board affirmed their First Stage Review that there was reasonable cause to suspect that sexual misconduct with a minor did occur.

If you have questions or comments, please call at your convenience.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Leggdas".

Kathleen Leggdas
Professional Fitness Review Administrator

Cc: Rev. Thomas J. Paprocki, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

FASSBINDER

ARCHDIOCESE OF CHICAGO

Office of the Cardinal



Post Office Box 1979
Chicago, Illinois 60690-1979

April 1, 2002

Ms. Kathleen Leggdas
Administrator
Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, IL 60611

Dear Ms. Leggdas,

I received from you the review of all the outstanding cases of reported sexual misconduct with minors by members of the Archdiocesan clergy. I thank you sincerely for the good work of the Office and your own dedication to a task so important for the Church's ministry.

I accept all the recommendations in the letters that you sent me, dated March 25, 2002. In the case of accusations against priests who are now deceased, I would like to know how it is that we are going to be of service to the victims who have brought the allegations forward at this time.

This acceptance of all recommendations made will be seconded to all parties concerned, so that the recommendations can be implemented as quickly as possible. Again, thank you for your dedication and for the help you bring to victims and clergy.

Sincerely,

A handwritten signature in black ink, reading "Francis Cardinal George".

Francis Cardinal George, O.M.I.
Archbishop of Chicago

cc: Most Rev. Raymond Goedert
✓ Rev. Thomas Paprocki
Rev. James Kaczorowski
Rev. Lawrence McBrady
Mr. Jimmy Lago

AOC 013306

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
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Memorandum

To: File - PFR-80

From: Kathleen Leggdas, Professional Fitness Review Administrator [PFRA]

Re: **Rev. Richard Fassbinder**

Date: April 5, 2002

A summary of the discussion from the Professional Fitness Review Meeting on March 16, 2002:

At Cardinal George's request, the Board conducted a Supplementary Review of Father Fassbinder's monitoring protocol.

The Board tabled this discussion [REDACTED]



Most Rev. Jerome E. Listecky
Auxiliary Bishop of Chicago
Episcopal Vicar of Vicariate I

200 N. Milwaukee Ave., Suite 200, Libertyville, Illinois 60048-2250
Phone: 847-549-0160 Fax: 847-549-0163



April 6, 2002

To the Parishioners of Prince of Peace,

At the kindness of Fr. Rich Yanos, I stand here this morning as witness of the solidarity of the Archdiocese with you the parishioners of Prince of Peace. You have been a great witness of the presence of Christ in this community of Lake Villa. Your confidence in the Church is a source of strength for us all.

These are difficult times for the Church. The climate of sin, distrust, and misrepresentation created by a few has given rise to anger, embarrassment, shame and hurt by many. But the risen Lord will and must be proclaimed. He is the only answer - and your faith is a testimony to that fact.

I beg your indulgence this morning on a matter which directly impacts the Prince of Peace parish. The Archdiocesan independent Fitness Review Board has received information concerning the sexual misconduct of Rev. Richard Fassbinder, who was assigned to the parish as associate pastor and pastor from 1973 to 1997. The independent Review Board has determined that there is reasonable cause to suspect that he engaged in sexual misconduct with a minor that began more than 25 years ago. This information has been turned over to the Lake County State's Attorney's Office. The independent review board has restricted him from any public ministry and has placed him in a monitoring program. Rev. Richard Fassbinder does not have an assignment to any parish and has been retired since 1997. The Archdiocese has received no other allegation of misconduct involving Rev. Fassbinder. I would ask any parishioner who has additional information or concerns regarding him to contact Fr. Yanos or the Archdiocesan Fitness Review Administrator directly at 1-800-994-6200. Of course, if you choose you may communicate directly to the Lake County State's Attorney's Office at 847-377-3000.

The violation of confidence on the part of clergy brings heartache for us all. We pray for the victims of sexual abuse in the hope that our Lord will bring His healing power to bear on their damage. In the spirit of the gospel we also pray for all clergy who have abused the privilege granted them in their ordination.

I assure you of the diligence of our Church in holding forth the gospel of our Lord. Our commitment to root out sin and proclaim the message of Jesus's love unambiguously is our mission. You are blessed here at Prince of Peace with a community that demonstrates His love in the ministries established to serve the spiritual and social needs of the parish.

You have a pastor, Fr. Rich Yanos, who is dedicated to your spiritual welfare and a wonderful priest, Fr. Steve Dombrowski, who willingly assists him in serving you. Please support them.

I believe that the Lord will make us stronger as a Church and call us to rededicate ourselves as priests and laity for the sake of making our Redeemer and Savior known to the world.

Sincerely yours in Christ,

Most Rev. Jerome E. Listecky
Auxiliary Bishop of Chicago
Episcopal Vicar, Vicariate I

Another priest faces misconduct allegations

By Julia Lieblich and Todd Lighty
Tribune staff reporters

4/10 NW Edition

Hours after the Catholic Archdiocese of Chicago said fresh charges of sexual misconduct by a Lake County priest appeared credible, Cardinal Francis George traveled Tuesday night to a Winnetka parish that just weeks ago lost its pastor amid similar accusations.

As parishioners filed into the gym at Sts. Faith, Hope and Charity Church for a closed meeting with the cardinal, George said he hoped to speed up the process of finding a replacement at the Winnetka church for Rev. Robert Kealy, who resigned in March after being accused of sexual misconduct with a teenager more than 25 years ago.

"What can you tell them?" George said. "That priests do sin and bishops have not been responsible in responding to

PLEASE SEE ABUSE, PAGE 6

ABUSE: 'Every case a tragedy,' George says

CONTINUED FROM PAGE 1

them in some cases."

"You have to keep it in perspective," George said. "One percent of priests are involved in this in some fashion. But nonetheless, every case is individual and every case is a great tragedy. Victims particularly have a hard time putting their lives together."

Later, parishioners left the Winnetka meeting, which was punctuated by applause, saying that most of the discussion revolved around what the parish wanted from its new pastor. Some of the meeting, however, was spent discussing Kealy and why the church leadership did not disclose to the parish a past allegation of misconduct.

Remarks George made before the meeting followed the archdiocese's disclosure that its review board, which handles allegations of sexual misconduct by priests, has determined that there is "reasonable cause to suspect" a Lake County priest had engaged in sexual misconduct with a child that began more than 25 years ago.

Rev. Richard Fassbinder was assigned to Prince of Peace parish in Lake Villa from 1973 to 1997, during the period the abuse allegedly occurred. Although Fassbinder had retired in 1997, the board has restricted him from any additional public ministry and placed him in a monitoring program.

In a letter to parishioners, Rev. Jerome E. Listecky, auxiliary bishop, said archdiocese officials referred the matter to the Lake County state's attorney's office.

"These are difficult times for the church," Listecky wrote. "The climate of sin, distrust, and misrepresentation created by a few has given rise to anger, embarrassment, shame and hurt by many."

Fassbinder's alleged victim, a man now in his 40s, called the administrator of the archdiocese's review board in December to report the abuse, which allegedly began when he was a teenager and "occurred over several years," said James Dwyer, the

archdiocese's spokesman.

"We always caution people that these are all allegations," Dwyer said. "But the board did find the allegations credible and that is why we took the action we did."

Lake County Assistant State's Atty. George Strickland said Tuesday that the archdiocese contacted him several times last week to discuss the allegations against Fassbinder. Strickland then met with the archdiocese's legal counsel, who provided him with details of the accusation.

"We are concerned with locating any possible witnesses or any other individuals who may have had improper contact with Fassbinder," Strickland said.

Fassbinder, 75, could not be reached for comment.

According to his biography, Fassbinder was ordained in May 1953 and his first assignment was at St. Hugh parish in Lyons. He served as associate pastor at Queen of All Saints in Chicago from 1954 to 1967 before moving to St. Emily in Mt. Prospect.

Fassbinder then transferred in 1973 to Prince of Peace in Lake Villa, where he became pastor in 1977 and remained until his retirement.

In his letter, Listecky said the archdiocese had received no other allegations of sexual misconduct involving the priest.

"The violation of confidence on the part of clergy brings heartache for us all," Listecky wrote. "We pray for the victims of sexual abuse in the hope that our Lord will bring His healing power to bear on their damages." He also told Prince of Peace parishioners that "we also pray for all clergy who have abused the privilege granted them in their ordination."

Prince of Peace parishioners learned of the allegations during Sunday's masses, when a priest read Listecky's letter, said Tim Leonard, a deacon at the church.

"It was a shock when I heard it. What do you do?" said Leonard, 50, of Lake Villa. Leonard said that as the letter was read during the 9 a.m. mass he attended, some of the older parishioners gasped.

"There's so many new families that don't know him, but those who knew him hung their heads in disbelief," he said. "As we were leaving, it was kind of quiet. Some people were upset."

Tribune staff reporters Nancy Ryan and Amanda Vogt contributed to this report.

MISCONDUCT

CLIP

4-10-02

Priest charges surface in Lake George comforts Winnetka parish

By Julia Lieblich
and Todd Lighty 4/10
Tribune staff reporters



Tribune photo by Charles Cherny

Cardinal Francis George (right) and Bishop Edwin Conway greet Rosemary Croghan in Winnetka on Tuesday.

Hours after the Catholic Archdiocese of Chicago said fresh charges of sexual misconduct by a Lake County priest appeared credible, Cardinal Francis George traveled Tuesday night to a Winnetka parish that just weeks ago lost its pastor amid similar accusations.

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Tribune staff reporters Nancy Ryan and Amanda Vogt contributed to this report.

More priest abuse alleged

Authorities, parishioners told of claim against former Lake Villa pastor

BY FRANK MAIN, ANNIE SWEENEY
AND LUCIO GUERRERO
STAFF REPORTERS *SNW 4/10*

Prosecutors have been notified that a Roman Catholic priest allegedly sexually abused a teenage boy in the 1970s at a north suburban parish—the second time in two weeks that the Catholic Archdiocese of Chicago has forwarded decades-old pedophilia allegations to investigators.

The Rev. Richard W. Fassbinder, 75, was assigned to Prince of Peace Church in Lake Villa from 1973 to 1997, when he retired as pastor.

He is accused of sexual misconduct that began in 1975 and continued until the boy reached adulthood. The victim is now in his 40s and lives out of state. He notified the archdiocese of his allegations in December.

The Fitness Review Board, an independent church review panel, investigated and ordered monitoring for Fassbinder, said James Dwyer, a spokesman for the archdiocese. The board recently found more credibility to the allegations and last week passed them on to the Lake County state's attorney's office, he said.

Fassbinder, who lives in Fox Lake now, declined comment Tuesday, saying, "I have nothing to say."

"I'm shocked," said Michael Golebiowski, 30, who was an altar boy for Fassbinder in the mid-1980s. "That has not been my experience at all. I have had a couple of days to think about it and never can I think about one incident. Absolutely 100 percent never."

"He was one of my favorite priests for serving mass. I always liked his message."

The church announced the allegations Tuesday, just about two weeks after the Rev. Robert Kealy resigned as pastor of Saints Faith, Hope and Charity Parish in Winnetka. He was accused of sexual misconduct with a teenager more than 25 years ago.

In the Kealy case, Cook County prosecutors said they are investigating, even though the statute of limitations for sex crimes involving children usually is three years after the victim's 18th birthday.

George Strickland, a Lake County prosecutor, said a lawyer for the archdiocese revealed the allegations against Fassbinder last week.

He would not comment on whether the allegations were too old to prosecute, saying, "The archdiocese gave us information that is sufficiently detailed for us to begin an investigation. We will look for the possible existence of more victims."



Helen Golebiowski, bookkeeper for Prince of Peace Church in Lake Villa, says she has nothing but good things to say about the accused Rev. Richard Fassbinder.

Dwyer said he knows of no lawsuits brought against Fassbinder. Under his monitoring program, he has been required to notify the archdiocese of travel from his home

and is undergoing counseling. He periodically checks in with the administrator of the Fitness Review Board.

The archdiocese told Prince of Peace

THE SCANDAL SO FAR

Other stories of abuse that have surfaced in the last few weeks regarding Chicago area priests:

□ The Rev. Robert Kealy, pastor of Saints Faith, Hope and Charity in Winnetka, was accused of engaging in sexual misconduct with a teenager in the 1970s.

□ An unnamed man says he was molested by the Rev. Andrew Ronan in the mid-1960s when Ronan was a priest assigned to a Portland shrine. Ronan was a teacher at the all-boys St. Philip High School on Chicago's West Side from 1959 to 1965.

□ A male teenager accused the Rev. Carlos Peralta of sexually abusing him in May 1999 while Peralta was assigned to St. John Bosco Parish on the North Side.

□ The Rev. Gary Berthiaume, who served six months in prison for child sexual abuse in Michigan in 1978 and is accused of abuse at a Cleveland area parish, was accepted into the Diocese of Joliet in 1987 and celebrated mass at St. Irene Church in west suburban Warrerville. He worked as a chaplain in Good Samaritan Hospital in Downers Grove until Monday.

parishioners about Fassbinder in a letter mailed Saturday, Dwyer said. The allegations also were announced at weekend masses.

"The climate of sin, distrust and misrepresentation created by a few has given to anger, embarrassment, shame and hurt by many," wrote the Rev. Jerome Listeki, auxiliary bishop of Chicago.

Listeki said the archdiocese received no other complaints against Fassbinder, but encouraged parishioners with more information to contact him.

"The violation of confidence on the part of clergy brings heartache for all of us," he wrote. "We pray for the victims of sexual abuse in the hope that our Lord will bring his healing power to bear on their damage."

Fassbinder was assigned to St. Hugh Church in Lyons, Queen of All Saints in Chicago and St. Emily in Mount Prospect before arriving at Prince of Peace in 1973. Parishioners said they were shocked at the allegations against Fassbinder, whom they described as quiet, reserved and private.

"He was a hard-nosed character," said Bob Kadera, a church member since 1977. "But he was very popular. There was a group of people that were very close to him."

Church bookkeeper Helen Golebiowski, Michael's mother and a parishioner for 28 years, said her other son was also an altar boy for Fassbinder. She had never heard allegations against him.

"I've got nothing but nice things to say about Father Fassbinder," she said, adding she last saw him last year when he showed up for a 25-year celebration for teachers.

TOM CRUZE/SUN-TIMES

Retired pastor accused

By Judy Masterson 4/10
Special to the Daily Southtown

A retired pastor of Prince of Peace Catholic Church in Lake Villa is under investigation for sexual misconduct.

Rev. Richard Fassbinder, who served as associate pastor and pastor at the parish from 1973 until his retirement in 1997, was named in a letter sent to Prince of Peace parishioners Saturday by the Archdiocese of Chicago's Independent Fitness Review Board.

Fassbinder, 75, is suspected of engaging in sexual misconduct with a minor that began more than 25 years ago.

Archdiocese spokesman Jim Dwyer said the church learned of the allegations in December and that after conducting an investigation, the board moved to restrict Fassbinder from any public ministry, placed him in a monitoring program and turned the information over to the Lake County state's attorney.

State's Attorney Mike Waller

said his office is investigating the case, although the statute of limitations has expired.

Because this individual was the pastor until 1997, he had the opportunity to engage in certain behaviors that would have been criminal in the 1970s and 1980s, Waller said.

Fassbinder grew up in St. Cajetan Parish in Chicago's Beverly community, Dwyer said.

The allegation against Fassbinder is the most recent in the Chicago archdiocese, one of many such cases nationwide involving the molestation of male adolescents by priests.

Last month, the archdiocese announced it had turned over to the Cook County state's attorney the name of Rev. Robert Kealy, a priest in north suburban parish. A man accused Kealy of abusing him more than 25 years ago, while Kealy was an associate pastor at St. Germaine Church in



Fassbinder

Oak Lawn.

Last week the archdiocese was named in a lawsuit, along with two other dioceses and the Holy See, in the case of two priests who were transferred to parishes across the country. Fassbinder is accused of engaging in a sexual relationship with a

minor that continued over the course of 13 or 14 years, ending in the 1980s.

Ordained in 1953, Fassbinder served as associate pastor at St. Hugh in Lyons from 1953 to 1954, at Queen of All Saints Basilica in Chicago from 1964 to 1967, and at St. Emily in Mount Prospect from 1967 to 1973.

He was named pastor of Prince of Peace in 1977.

Southtown religion writer Allison Hantschel contributed to this report.

Masterson writes for the News Sun in Lake County.

Retired priest accused of sexual misconduct

BY TERESA MASK 4/10
Daily Herald Staff Writer

A retired suburban priest who led churches in Lake Villa and Mount Prospect joins a growing number of Catholic clergy being investigated nationwide for sexual misconduct.

The Rev. Richard Fassbinder, 75, is the second suburban priest in two weeks to be investigated for allegedly sexually abusing a minor more than 25 years ago, according to officials from the Archdiocese of Chicago.

Fassbinder worked at Lake Villa's Prince of Peace Church from 1973 to 1997 and was named pastor in 1977. Before that, he was pastor for six years, from 1967 to 1973, at St. Emily Catholic Church in Mount Prospect.

Officials from the archdiocese said its independent review board has determined that there is "reasonable cause" to suspect Fassbinder engaged in sexual misconduct with a male minor while he was at Prince of

Peace.

Lake County State's Attorney Mike Waller said his office had been contacted by the archdiocese. "We have received information concerning a sexual relationship which ended in the mid-1980s and began when the subject was underage," Waller said. "The statute of limitations has run out on any crimes that may have been committed during that time. However, because he was a pastor until 1997, we are investigating to see if there were any other incidents or people involved."

Jim Dwyer, an archdiocese spokesman, said the allegations were reported for the first time in December 2001. He said the man reporting the allegations is now in his 40s and lives out of the state. Dwyer said the man reported that the abuse began when he was a teenager and continued into adulthood.

Dwyer said Fassbinder, who now lives in a private residence in the Fox Lake area, is being monitored by the

archdiocese and must report his activities, particularly if he plans to leave town.

"He's not in any position to be a threat to anybody," Dwyer said.

Dwyer said he is not aware of any other pending cases being investigated by the independent review board. But as part of a plan to review the archdiocese's current policy on sexual abuse among clergy, the review board is revisiting the handling of old cases.

Meanwhile, the Cook County state's attorney's office is investigating the Rev. Robert L. Kealy, who resigned two weeks ago amid allegations that he abused a minor. He last worked as pastor of Sts. Faith, Hope and Charity Church in Winnetka. He remains in the priesthood but has withdrawn from active ministry.

Ordained in 1953, Fassbinder retired in 1997.

• Daily Herald staff writer Tony Gordon contributed to this report.

Catholic brother leaves school over old charges

By Todd Lighty
and Rick Hepp
Tribune staff reporters

A Catholic religious order closed Wednesday that it removed a brother from public ministry after re-examining old allegations that he had engaged in sexual misconduct with children in Georgia and in "inappropriate behavior" with students at an all-boys Catholic high school in Chicago.

The Order of Carmelites said that several weeks ago it began a review of the allegations stemming from the 1970s and 1980s at the request of the brother him-

self, Robert Murphy.

"The re-examination was prompted by Brother Murphy's own concerns over these previous matters in light of the current national and international focus on the issue of sexual misconduct," the order said in a statement.

Applying more stringent policies adopted in the 1990s, the order's Advisory Group on Sexual Misconduct recommended that Murphy be removed from public ministry.

That ruling also meant that Murphy lost his job at Lewis University, a Catholic university in Romeoville. Murphy had

worked at the school since 1987 as director of ministry and as a history teacher, said Carol Wassberg, a university spokeswoman.

Murphy, 51, could not be reached for comment.

Rev. Leo McCarthy, the prior provincial for the Carmelite order based in Darien, was unavailable for comment.

According to the Carmelites, Murphy had been accused of sexual misconduct with minors in 1973 in Georgia. The Diocese of Savannah reported the allegations to the Carmelite Province. Sal Lema, a spokesman for the Carmelites in Darien, would not

provide details but said the allegations were credible. He said Murphy underwent treatment and that the Savannah Diocese offered counseling to the victims.

Murphy later became a history and English teacher at Mt. Carmel High School, an all-boys school of about 800 students on Chicago's South Side.

In 1985, the order removed Murphy from the high school after allegations surfaced that he had engaged in "inappropriate corporal punishment," or spanking, involving students, Lema said. Murphy was restricted from all unsupervised

contact with minors and underwent treatment from 1985 through 1989, Lema said.

Lema said the order has notified the Archdiocese of Chicago and the Joliet Diocese about the allegations and actions taken against Murphy. Lema said the order was "in the process of notifying civil authorities."

At Mt. Carmel, Principal Rev. Carl J. Markelz said the order telephoned him Wednesday about Murphy.

Markelz said he would wait for the letter and recommendations from the Advisory Group on Sexual Misconduct before addressing the student body.

Allegations about priest test faith at Lake Villa church

By MICK ZAWISLAK
Daily Herald Staff Writer 4/11

Sounds of laughter and the general commotion you would expect from grade school kids were signs Wednesday that business continued as usual at Prince of Peace Parish School.

Administrators at the Lake Villa Catholic school have been working diligently to keep it that way, acknowledging that recent news of allegations of sexual misconduct against a retired priest has a potential impact on youngsters who have faced their share of emotional turmoil in the past two years.

"They don't want to know details. They want a feeling of safety and security, and right now that's what we're trying to provide — an atmosphere that things are okay," said Mary Rooney, assistant principal and a third-grade teacher.

Rooney said only a "very small percentage" of students had asked questions about the news concerning the Rev. Richard Fassbinder, who retired in 1997 after working at the parish for 24 years. Now 75, he has been accused of sexually abusing a minor more than 25 years ago while serving at the church, according to the Archdiocese of Chicago. Fassbinder also was pastor at St. Emily Catholic Church in Mount Prospect from 1967 to 1973.

"They just wanted to get back to normalcy," Rooney said of the students. The school was shocked in September 2000, when a custodian was killed by his boss inside the school. Both were well known to the students.

Rooney said school officials followed a similar plan then, acknowledging the incident but emphasizing the school was "still a

safe place to be."

Bishop Jerome E. Listecki, who informed parishioners by letter about the allegations against their former pastor, said several Masses at Prince of Peace Church last weekend. Counselors from the archdiocese also were available throughout the weekend to talk with the church staff or listen to anyone who had concerns. Church officials did not have any estimate of how many used the service, which is standard procedure for the archdiocese.

The news has drawn mixed reaction in the rapidly growing area, with members of the congregation saying little about what has become another in a series of unfolding allegations involving Catholic priests across the country.

"People were very supportive over the weekend, and people are very strong in their faith," said the Rev. Steve Dombrowski, associate pastor. "We've had no contact with him since he left five years ago."

The congregation is pulling together and has designated an April 23 service at 7:30 p.m. to be a "healing Mass."

Because of the growth in the area, Listecki said about a third of the parishioners in the 2,300-family parish didn't know Fassbinder. Another third may have known him casually.

"Then, there's the others. It's just disbelief," Listecki said. "Some hurt right away and you could see tears being shed."

The archdiocese said Wednesday it was not aware of any new allegations against Fassbinder, who is living in a private residence in the Fox Lake area and is being monitored and must report his activities.



COURIER NEWS: D300 may eliminate parent-pay busing

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Ex-Lake Villa priest accused

Investigation: Retired pastor suspected of sexual misconduct with minor

By Judy Masterson
STAFF WRITER

*Wichita NewsSun
4-10-02*

LAKE VILLA — A retired pastor of Prince of Peace Catholic Church in Lake Villa is under investigation for alleged sexual misconduct.

The Rev. Richard Fassbinder, who served as associate pastor and pastor at the parish from 1973 until his retirement in 1997, was named in a letter sent to Prince of Peace parishioners Saturday by the Archdiocesan Independent Fitness Review Board.

Fassbinder, 75, is suspected of engaging in sexual misconduct with a minor that began more than 25 years ago.

Archdiocesan spokesman Jim Dwyer said the church learned of the allegations in December and that after conducting an investigation, the board moved to restrict Fassbinder from any public ministry, placed him in a monitoring program and turned the information over to the Lake County state's attorney's office.

State's Attorney Michael Waller said his office is investigating the case, despite expiration of the statute of limitations.

"Because this individual was the pastor until 1997, he had the opportunity to engage in certain behaviors that would have been criminal in the 1970s and 1980s," Waller said.

The allegation against Fassbinder is the most recent in the archdiocese, one of many such cases nationwide involving the molestation of male adolescents by priests.

Fassbinder is accused of engaging in a sexual relationship with a minor that continued over the course of 13 or 14 years, ending in the 1980s.

While the initial involvement would have been criminal, Waller said his office wouldn't be able to prosecute a case that came to the attention of the archdiocese so long after the alleged incidents took place.

"But these types of offenders tend to have other victims, and we're going to see what information we can develop," Waller said. "We haven't developed any so far, which would lead us to believe there aren't any other victims."

Waller said the statute of limitations for a felony is three years. However, if the victim is a minor, the statute can be extended for one year after he or she turns 18.

"You could have a fairly long statute of limitations if you had a young victim who didn't report it until later," Waller said.

Representatives of the archdiocese and Auxiliary Bishop Jerome Listecki of St. Joseph in Libertyville met with Prince of Peace parishioners during weekend Masses.

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Dwyer said Fassbinder has not been involved in any public ministry since his retirement.

Waller said the archdiocese had been cooperative.

"The people are surprised and shocked, but, overall, they're very supportive," said the Rev. Steve Dombrowski, Prince of Peace associate pastor. "The overall feeling is that this isn't going to shake their faith."

Ordained in 1953, Fassbinder served as associate pastor at St. Hugh in Lyons from 1953 to 1954, at Queen of All Saints Basilica in Chicago from 1964 to 1967, and at St. Emily in Mount Prospect from 1967 to 1973. He was named pastor of Prince of Peace in 1977.

This is not the first trial for Prince of Peace Parish, which was organized in 1955 from territory once part of St. Peter Church in Antioch and St. Gilbert Church in Grayslake. The church was the site of a murder in 2000, in which part-time janitor Kevin Killian, a 30-year-old Lindenhurst resident, was convicted of bludgeoning to death maintenance chief John Zeller of Bristol, Wis.

04/10/02

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COPY

ARCHDIOCESE OF CHICAGO

Office of Professional Fitness Review
676 N. St. Clair, Suite 1910
Chicago, Illinois 60611



Post Office Box 1979
Chicago, Illinois 60690-1979

(312)751-5205
Fax: (312)751-5279

April 12, 2002

Rev. Lawrence Hanley
7112 Concorde Circle
Fox Lake, IL 60021

Dear Father Hanley,

Enclosed are Monthly Monitoring Reports for 12 months. Please complete a report and mail to my attention by the 15th of each month. Father Fassbinder should sign the form as well.

If you have any questions concerning your responsibilities as Monitor, please do not hesitate to call.

Thank you for your willingness to serve in this position in relationship to Father's case of misconduct with a minor.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Leggdas".

Kathleen Leggdas
Professional Fitness Review Administrator

Cc: Rev. James Kaczorowski, Vicar for Priests

AOC 013316

To: File

From: Jim Kaczorowski

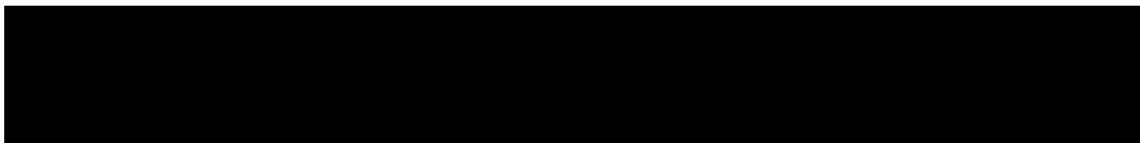
Date: April 12, 2002

Re: Richard Fassbinder

On April 9, 2002 I met with Richard Fassbinder at Koenig Hall in the Retreat House, Mundelein. I indicated to him that on the preceding Sunday, April 7, 2002, Bishop ListECKI read a letter to his former parishioners at Prince of Peace Parish in Lake Villa, where Richard had been pastor from 1977-1997 as well as associate pastor from 1974-77. The letter to the parishioners contained information that the Professional Fitness Review Board found reasonable cause of sexual misconduct with a minor over 25 years ago. I further told Father Fassbinder that his story was breaking in the public arena and that it would be on all news stations the evening of April 9, 2002. In addition the Sun Times and the Chicago Tribune were to carry the stories.

I informed Father Fassbinder that Father Lawrence Hanley was assigned as his on-site monitor. He also owns a home in the Leisure Retirement Village, Fox Lake, where Fr. Fassbinder lives among approximately 300 other people. I assured him that Larry Hanley will be in daily conversation with him to see how he is doing.

On the evening of April 9, 2002 I called Father Fassbinder as television stations were broadcasting the news of his misconduct. He indicated that two reporters called him on whom he hung up. A Tribune reporter wanted entry to the Retirement Village, but was denied entrance.



ARCHDIOCESE OF CHICAGO

Office of the Archbishop



155 E. Superior St.
Chicago, Illinois 60611

P R E C E P T

Bishops “have been designated by the Holy Spirit to take the place of the apostles as pastors of souls and, together with the Supreme Pontiff and subject to his authority, they are commissioned to perpetuate the work of Christ, the eternal Pastor.” (*Christus dominus*, n.2b) However, since the pastors of the Church can never be expected to carry the burden of pastoral ministry alone (*Lumen gentium*, n. 30), they have been given the order of priests to cooperate in shepherding and guiding God’s people. Indeed, bishops, “because of the gift of the Holy Spirit that has been given to priests at their ordination, will regard them as indispensable helpers and advisers in the ministry and in the task of teaching, sanctifying and shepherding the People of God.” (*Presbyterorum ordinis*, n. 7)

Because of this common task, “bishops are to regard their priests as brothers and friends, and are to take the greatest interest they are capable of in their welfare, both temporal and spiritual. For on their shoulders particularly falls the burden of sanctifying their priests.” (*Presbyterorum ordinis*, n. 7b)

Moreover, the *Directory on the Pastoral Ministry of Bishops* states, “In the same way as Jesus showed his love for his disciples....so also a bishop....can hardly fail to realize that he should show his greatest love and chief concern for priests....Led by a sense of duty and sincere and invincible charity he gives willing assistance in every way to help priests to esteem the loftiness of their priestly vocation, to live serenely, to spread joy to those about them and to fulfill their duties faithfully.” (n. 107a)

This same document urges bishops to do “everything possible to prevent the troubles his priests could have....To keep them safe from trouble he takes prompt and prudent measures.” (n. 112)

The Code of Canon Law has described precepts as a means by which ecclesiastical authority “directly and legitimately enjoins a specific person or persons to do or omit something, especially in order to urge the observance of law” (c. 49).

Therefore, I issue this precept, in accordance with c. 49, to urge **Reverend Richard Fassbinder** to fulfill the obligations which were placed upon him at the time of his ordination. Because some suspicion has arisen about his fidelity to the sacred promises he made at his ordination, I urge him in particular to lead a life which is in keeping with the holiness of his vocation. Although he is not presently exercising public ministry in the Church, he ought to pursue holiness of life in the way that he lives. He is also still bound to the obligation to pray the liturgy of the hours daily, to set aside time for spiritual retreats, to engage in mental prayer, to approach the sacrament of penance frequently, to honor the Virgin Mother of God with particular

veneration as Queen of Priests, and to use any other means of sanctification which he finds helpful (c. 276).

Because of the obligation to observe perfect and perpetual continence for the sake of the kingdom of heaven, **Father Fassbinder** is to act with due prudence toward persons who could endanger the obligation to observe continence (c. 277§1), and to observe the particulars of the attached Individual Specific Protocol (c. 277§3) which I have established in consultation with him.

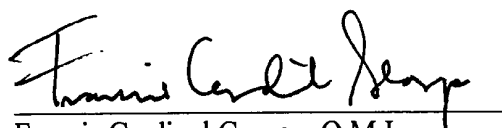
He is to avoid all those things which are unbecoming the clerical state, or those things which are foreign to the clerical state (c. 285), especially those things which are set forth in the attached Individual Specific Protocol which I have established in consultation with him.

Father Fassbinder is hereby dispensed from his obligation to wear ecclesiastical garb (c. 284), and is strongly urged not to do so until such time as the case against him can be resolved and more permanent determinations can be made. Although not removed from office, he is nonetheless urged not to exercise the rights of any ecclesiastical office, in accordance with the Individual Specific Protocol which I have established in consultation with him.

In order to ensure that these obligations are met, I have delegated **Ms. Leah McCluskey** to receive information regarding **Father Fassbinder's** fulfillment of this precept and his Individual Specific Protocol. She is to submit a report to me no less than quarterly regarding this matter, and may report to the Professional Fitness Review Board more frequently as needed or requested.

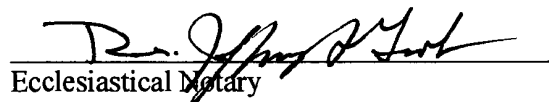
I am establishing this precept in a spirit of fraternal charity, mindful of my responsibility to encourage my priests to remain faithful to the obligations of the clerical state. Because the attached Individual Specific Protocol has been established in dialog between **Father Fassbinder** and the Vicar for Priests, I accept the provisions of this document, and urge **Father Fassbinder** to fulfil them in accordance with the obedience he is to show to me as his ordinary (c. 273), and which he promised at his ordination.

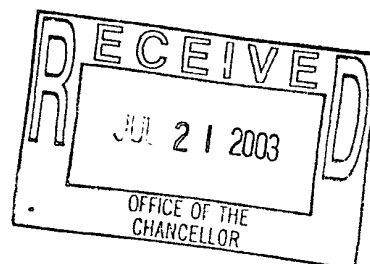
Given in Chicago, Illinois on the 23rd day of May, 2003.



Francis Cardinal George, O.M.I.
 Archbishop of Chicago




 Ecclesiastical Notary



ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611



(312)751-5205
1-800-994-6200
Fax (312)751-5279

July 11, 2003

Francis Cardinal George, O.M.I.
Archbishop of Chicago
155 E. Superior Street
Chicago, Illinois 60611

Dear Cardinal George,

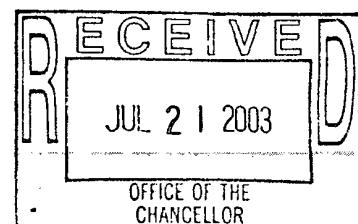
As the Auditor whom you appointed in accord with Canon 1717 to conduct a Preliminary Investigation into the allegations of sexual abuse of minors that have been made against the Rev. Richard W. Fassbinder, a priest of the Archdiocese of Chicago, I would like to inform you that the investigation has been completed.

As required by Canon 1718, a sufficient amount of material is now present for you to make a determination. I have examined the files of the investigations of the allegations of sexual misconduct with minors by Fr. Fassbinder, and I have found them to be complete.

There is at least one allegation that was submitted to the Archdiocesan Professional Responsibility Review Board in which the Board recommended to you that there is reasonable cause to suspect that the alleged misconduct did occur. Given the material gathered as the Board's instruction of the case, it is now necessary for you to determine if the elements meet the required standard of proof. The Board reported their finding to you after having discussed the evidence and the arguments in two formal sessions. As part of the procedure followed by the Board, Fr. Fassbinder was read the allegations made against him and provided a response to each. With reference to his involvement in the instruction of the case, Fr. Fassbinder had the advice of legal counsel.

I now submit this matter to your Eminence for a determination. It is my recommendation that the allegation of sexual misconduct with a minor against the Rev. Richard W. Fassbinder has the semblance of truth (*notitiam saltem verisimilem*) as required by Canon 1717 and Article 13 of the Procedural Norms *de gravioribus delictis*, and consequently the case should be sent to the Congregation for the Doctrine of the Faith.

There is at least one allegation of sexual misconduct against Fr. Fassbinder. The Professional Responsibility Review Board has been presented all allegations against Fr. Fassbinder, and has reported to you the finding that the allegations provide reasonable cause to suspect that the alleged incidents of misconduct did occur. It is my recommendation that the aforementioned allegations have the semblance of truth




AOC 013320

(*notitiam saltem verisimilem*) as required by Canon Law. As a result, there is no additional information that needs to be gathered at this time regarding the allegations made against Fr. Fassbinder.

If you have any questions or concerns, please contact me at 312 751-5205.

Sincerely,


Leah McCluskey
Professional Responsibility Administrator

Cc: Rev. Daniel Smilanic, Archbishop's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

*I accept the summary
The one will 8 + 1000.
F. Fassbinder
1/8/15, m3*

COPY

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

September 8, 2003

Fr. Richard W. Fassbinder
7128 St. Tropez
Fox Lake, IL 60452

Dear Fr. Fassbinder,

Enclosed you will find documentation regarding the monitoring protocols.

The monitoring protocols have been changed somewhat. This was done principally in order to put into a standard written form, arrangements that had been made orally and/or on an individual basis. It was felt that by committing as much as possible to a written form, misunderstandings could be reduced and communication would be facilitated. These changes reflect the feedback provided by all those involved in the monitoring program, including those who are subject to it. The enclosed forms contain the adjustments made to the monitoring forms that were provided to you in July of 2003. All those involved in monitoring will be receiving a copy of the new forms.

In designing a form that addresses so many different, complex situations, one or another points may be unclear. If you have any question or concerns, please contact me at [312] 751-5205.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah McCluskey".

Leah McCluskey
Professional Responsibility Administrator

Enclosures

AOC 013322

Office of Professional Responsibility
676 N. St. Clair, Suite 1910
Chicago, IL 60611
(312) 751-5205

INDIVIDUAL SPECIFIC PROTOCOL
For

Richard W. Fassbinder

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors and the integrity of the Church. Additionally, the ISP serves as a safeguard for the individual priest/deacon with regard to the possibility of subsequent allegations. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15.

This ISP for Richard Fassbinder is as follows (PRA to initial all that apply):

1. ☒ Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.

2.

3.

4. ☒ The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested. The monitor will return the log forms at the end of each month to PRA.

5. ☒ Abide by the restriction of residence to 7128 St. Trapez
Fox Lake, IL 60452

6. ☒ No inappropriate use of computers, software, Internet capabilities, communications tools or technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.
7. ☒ Must complete and submit the "Travel/Vacation Agreement" to PRA prior to a scheduled departure.
8. ☒ Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of _____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.
9. ☒ No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.
10. ☒ Refrain from wearing any garb that would give the appearance of, or seem to infer, a priest/deacon who has canonical faculties and is currently assigned to some ministry (e.g., the 'clerical shirt').
11. ☒ The right of defense must not involve the public life of the Church.
12. ☒ On-site visits by PRA annually to include meeting with PRA and the cleric.
13. ☒ On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.
14. ☒ This ISP is to be reviewed annually with PRA, VP, and the cleric.
15. Because the private celebration of the Eucharist is possible, during the course of each week one of the Masses celebrated is to be for the intention of the priests of the Archdiocese of Chicago.
16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: Richard Fendler Date: 9/11/03

Printed Name: _____

Signature of PRA: Pat McClelland Date: 9/11/03

Signature of VP: Just Keger Date: 9/11/03

A copy of this Protocol will be kept on file in the Office of Professional Responsibility and on file in the Office of the Vicar for Priests.

ARCHDIOCESE OF CHICAGO **COPY**

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

September 17, 2003

Rev. Richard W. Fassbinder
7128 St. Tropez
Fox Lake, IL 60452

Dear Fr. Fassbinder,

It was a pleasure meeting with you last Thursday. Both Fr. Kaczorowski and I appreciate the time that you took to meet with us. Enclosed you will find a copy of your signed Individual Specific Protocol.

If you have any questions or concerns, please do not hesitate to contact me at [312] 751-5205.

Sincerely,

A handwritten signature in cursive script, reading "Leah McCluskey".

Leah McCluskey
Professional Responsibility Administrator

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

Enclosure

AOC 013325

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Responsibility




P.O. Box 1 979
Chicago, Illinois 60690-1 979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File - PFR-80

From: Leah McCluskey, Professional Responsibility Administrator 

Re: Fassbinder, Richard [Retired/Withdrawn]

Date: November 6, 2003

PRA and Rev. James T. Kaczorowski, Vicar for Priests met with Rev. Richard Fassbinder and his monitor, Rev. Lawrence Hanley on September 11, 2003 at the Cardinal Stritch Retreat House. The purpose of the meeting was for PRA to provide Frs. Fassbinder and Hanley with the newly revised Individual Specific [Monitoring] Protocols, Daily Log forms, and the Travel/Vacation Notification forms.

While at the meeting, it was agreed that Fr. Kaczorowski would work with Fr. Fassbinder to connect him with a spiritual advisor.

Fr. Fassbinder signed the Individual Specific Protocol form to indicate his agreement to follow the requested protocols.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests

AOC 013326

ARCHDIOCESE OF CHICAGO

COPY

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

January 29, 2004

Rev. Richard W. Fassbinder
7128 St. Tropez
Fox Lake, Illinois 60452

Dear Fr. Fassbinder,

I hope that this letter finds you and Rev. Lawrence Hanley doing well.

As you may know, Fr. Kaczorowski and I went to the Cardinal Stritch Retreat House on January 26, 2004 to meet with several of the men who are to be adhering to the monitoring protocols. Enclosed with this letter you will find copies of the current Individual Specific Monitoring Protocols, a Daily Log form, as well as a Travel/Vacation Agreement form. This information will also be forwarded to your daily monitor, Fr. Hanley. These forms have been adjusted with the assistance of Rev. Daniel A. Smilanic, Promoter of Justice as a result of the feedback that many of you have provided to me in the past.

Cardinal George has agreed with the Review Board's recommendation that you review and sign the Individual Specific Protocol and return it to me no later than March 31, 2004.

If you have any questions, please feel free to contact me at [312] 751-5205. Fr. Kaczorowski may also be reached at [312] 642-1837.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leah McCluskey".

Leah McCluskey
Professional Responsibility Administrator

Cc Rev. Lawrence Hanley
Rev. James T. Kaczorowski, Vicar for Priests

AOC 013327

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

Professional Responsibility Review Board Saturday, May 15, 2004- 9:00 a.m. to 1:00 p.m.

MINUTES

Review Board Members Present:



Members absent:

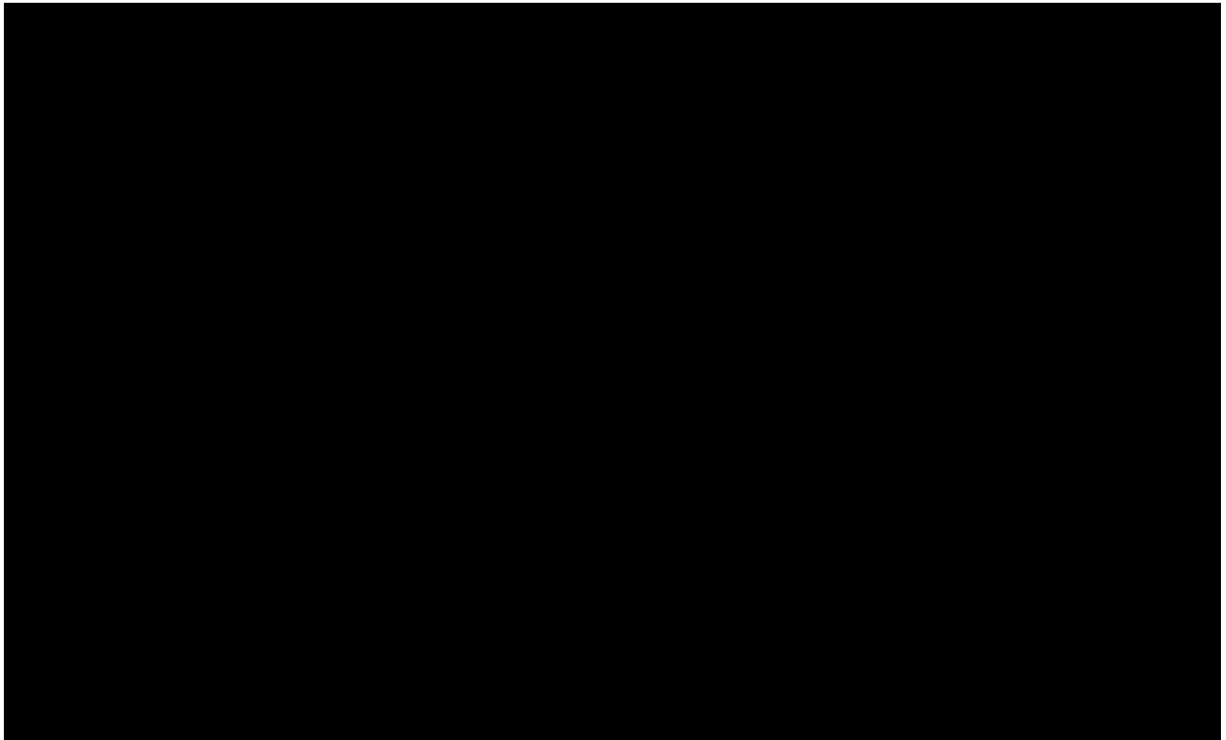


Non-members present:

Leah McCluskey, Professional Responsibility Administrator [PRA]
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board

-
- Cardinal George was unable to be present for the meeting as a result of a scheduling conflict.

I. Case Reviews



[REDACTED]

[REDACTED]

II.

[REDACTED]

III. Update from FEG's decisions from April 17, 2004 Review Board Meeting

[REDACTED]

• [REDACTED]

• [REDACTED]

- PRA informed the Board of the death of Rev. Richard Fassbinder.
- Fr. Smilanic spoke with the Board regarding related canonical issues concerning clerics who have been removed from ministry as a result of allegations of sexual misconduct.

[REDACTED]

IV.

Next scheduled meeting is June 19, 2004 at 9:00 a.m.

Cc: Review Board Members
Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Rev. James Kaczorowski, Vicar for Priests
Rev. Thomas Tivy, Vicar for Priests
Francis Cardinal George, O.M.I.

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

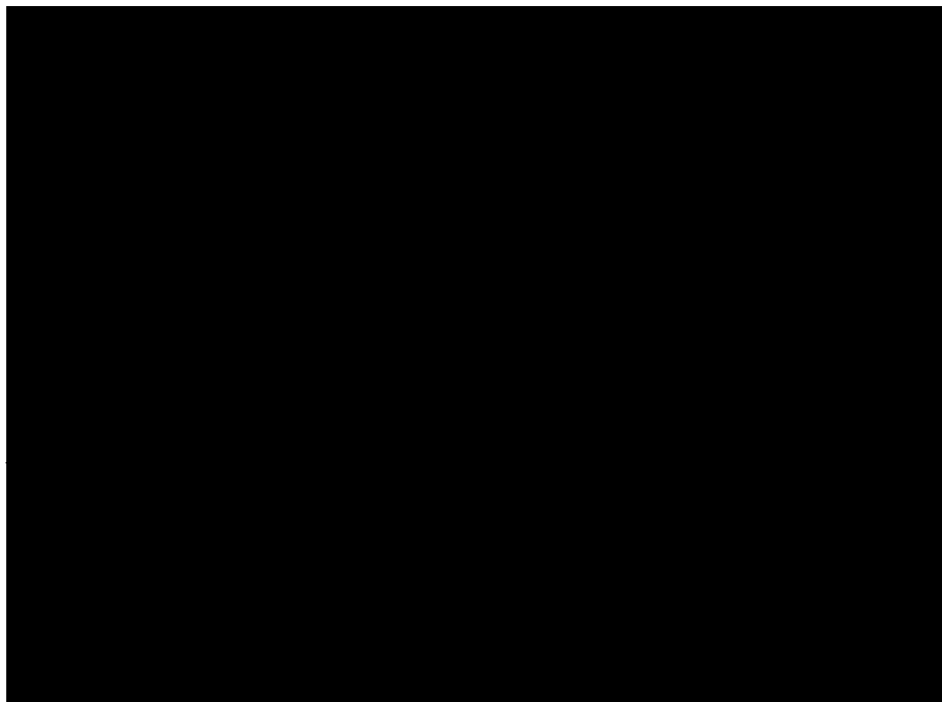
(312) 751-5205
Fax: (312) 751-5279

PROFESSIONAL RESPONSIBILITY REVIEW BOARD MEETING

Saturday, May 15, 2004 - 9:00 a.m. to 1:00 p.m.

AGENDA

I.



II.

III.

IV.

V. Other Matters

- Update on Rev. Richard Fassbinder (Deceased 2004)



The next scheduled Board Meeting is for Saturday, June 19, 2004

COPY

Office of Professional Responsibility

676 N. St. Clair, Suite 1910

Chicago, IL 60611

(312) 751-5205

COPY

OFFICE OF PROFESSIONAL RESPONSIBILITY

ARCHDIOCESE OF CHICAGO

This is a red ink stamp!
DO NOT COPY

INDIVIDUAL SPECIFIC PROTOCOLS

For

Rev. Richard W. Fassbinder

The Individual Specific Protocols (ISP) implement the primary goal of protecting minors. Additionally, the ISP protects the integrity of the Church and serves as a safeguard for individual priest or deacon. As long as the cleric is a client of the Office of Professional Responsibility, he will be subject to appropriate protocols, restrictions and monitoring under the authority of the Vicar for Priests and supervised by the Professional Responsibility Administrator (PRA); please refer to protocol number 15. The agreement of a priest or deacon to abide by these protocols is not understood to prove the truth of any allegation and is not intended to be an admission of guilt for any delict or crime, whether in Canon Law, or State and Federal Law. This agreement represents the cooperation of the cleric with his bishop as he exercises his pastoral office (e.g., Canons 369 and 392).

This ISP for Richard Fassbinder is as follows (PRA to initial all that apply):

1. ☒ Restricted from being alone with minors (anyone under the age of 18) without the presence of another responsible adult.

2.

3.

4. ☒ The "Clergy Daily Log" to be completed on a daily basis and co-signed by the monitor. The log is a tool that is used for the protection of minors, the priest/deacon, the monitor and the Archdiocese. Although it lists all time periods, it is intended to provide an accurate record of the day rather than a detailed clock. If you are describing an off-campus activity, please include the place, the general purpose of the visit/trip/activity (e.g. Spiritual Direction, therapy), and the telephone number only if it is a private residence. (For example, it is enough to indicate that you did personal shopping rather than the name, location and telephone number of each individual store.) If your self-description is challenged, some documentation/verification may be requested.

5. ☒ Abide by the assignment of residence to 7128 St-Tropez
Fox Lake, IL 60020

6. ☒ No inappropriate use of computers, software, Internet capabilities, communications tools or video technology. The standards articulated in the *Policies and Procedures of the Archdiocese of Chicago* and the *Handbook For Archdiocesan Employees* will apply.
7. ☒ Must complete and submit the "Travel/Vacation Agreement", and obtain concurrence with the Agreement, prior to a scheduled departure.
8. ☒ Attendance at a recommended support group _____ (please indicate specific support group). Recommended frequency of _____ times per week/month (please circle one). Attendance at a recommended support group is to be reflected on "Clergy Daily Log" forms.
9. ☒ No ministerial participation in the public celebration of the Eucharist or any other Sacrament or Sacramental without the prior, written permission of the Vicar for Priests.
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11. ☒ The right of defense must not involve the public life of the Church.
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13. ☒ On-site visits by Vicar for Priests (VP) annually to include a meeting with VP and the cleric.
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16. Any change or alteration to this agreement will involve consultation with the cleric, his monitor, the PRA, and the VP. The cleric, his monitor, the PRA, or the VP can initiate the discussion for change or alteration, and at the discretion of any of the parties, his legal and/or canonical counsel may be involved.

I have reviewed, understand, and agree to all of these individual specific Protocols.

Signed: Richard Fassbinder Date: 3/2/04 ☒

Printed Name: ~~Richard Fassbinder~~ RICHARD FASSBINDER

Signature of PRA: [Signature] Date: 3/14/04

Signature of VP: [Signature] Date: 3-16-04

Archdiocese of Chicago Priest Vitae Card

**Richard Wayne
Fassbinder**

Born: [REDACTED] Ordained: 05/01/1953 Died: 05/01/2004 Ethnicity:

No Image
Attached

Assignment	Position	Begin Date	End Date
St. Hugh Parish (Lyons)	Assistant Pastor	06/29/1953	06/25/1964
Queen of All Saints Basilica Parish (Sauganash Ave.)	Assistant Pastor	06/25/1964	02/20/1967
St. Emily Parish (Mt. Prospect)	Assistant Pastor	02/20/1967	06/15/1973
Prince of Peace Parish (Lake Villa)	Associate Pastor	06/15/1973	01/01/1977
Prince of Peace Parish (Lake Villa)	Administrator	01/07/1975	01/01/1977
Prince of Peace Parish (Lake Villa)	Pastor	01/01/1977	04/15/1997
Prince of Peace Parish (Lake Villa)	Pastor Emeritus	04/15/1997	05/01/2004

**Extraordinary
Appointments:**

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: File - PFR-80

From: Leah McCluskey, Professional Responsibility Administrator

Re: Fassbinder, Rev. Richard Wayne

Date: May 5, 2004

PRA received a message from Rev. James T. Kaczorowski, Vicar for Priests that Rev. Richard Wayne Fassbinder passed away on Saturday, May 1, 2004.

Cc: Rev. Daniel Smilanic, Cardinal's Delegate to the Review Board
Ralph Bonaccorsi, Assistance Ministry

AOC 013336

COPY

ARCHDIOCESE OF CHICAGO

Office of Professional Responsibility



P.O. Box 1979
Chicago, Illinois 60690-1979

(312) 751-5205
Fax: (312) 751-5279

MEMORANDUM

To: PFR-80
From: Review Board Meeting
Re: Richard Fassbinder (Deceased)
Date: May 15, 2004

A summary of the discussion from the Professional Responsibility Review Board Meeting on May 15, 2004:

- PRA informed the Board of the death of Rev. Richard Fassbinder.

AOC 013337

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT- CHANCERY DIVISION

Mother Doe 100, individually and as
representative of the minor John Doe 100,
on behalf of themselves and all others
similarly situated

RECEIVED

APR 18 2006

ARCHDIOCESE OF CHICAGO
OFFICE OF PROFESSIONAL RESPONSIBILITY

FILED-3
06 JAN 31 AM 10:39
CIRCUIT COURT OF COOK
COUNTY, ILLINOIS
CHANCERY DIV.
CLERK

Plaintiffs,

vs.

06CH02017

The Archdiocese of Chicago d/b/a The Catholic
Bishop of Chicago, a corporation sole,

Defendant.

CLASS ACTION COMPLAINT

NOW COMES the Plaintiffs, individually and on behalf of all others similarly situated, by and
through their attorneys, [REDACTED] and [REDACTED]

[REDACTED], to obtain declaratory and injunctive relief against Defendant, states as follows:

INTRODUCTION

1. This Complaint seeks declaratory judgment and injunctive relief against the
Archdiocese of Chicago. The Archdiocese of Chicago has established a policy of harboring and
protecting suspected child molesting agents, thereby endangering numerous children in Illinois.
The Archdiocese has information about a number of suspected child molesting agents that it has
never disclosed to law enforcement or the public at large, thereby causing children such as John
Doe 100 to be harmed. Further, on information and belief, the Archdiocese has a policy and

practice of document destruction. This declaratory relief and injunction action seeks to have the Archdiocese produce all documents regarding the molestation of children by its agents for court supervision, to release the names of all agents accused of molesting children to the court and to the public, and to enjoin the Archdiocese from destroying any documents regarding suspected childhood sexual abuse by its agents.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action because it seeks to redress violations of the plaintiffs' rights and to protect children in Illinois that are in imminent danger. Venue is proper because the Archdiocese resides in Cook County and the majority of the allegations herein involve occurrences in Cook County.

PARTIES

3. Plaintiff John Doe 100 is a minor. Mother Doe 100 is John Doe 100's mother and legal guardian. At all times material, Plaintiff John Doe 100 was a resident of the State of Illinois. At all times material, Mother Doe 100 was a resident of the State of Illinois.

4. The identities of all Doe Plaintiffs are made known to Defendants through separate cover letter.

5. Plaintiff [REDACTED] is a thirty five year old Chicago resident. [REDACTED] was sexually molested as a child by [REDACTED] a religious order priest who was serving at a parish within the Archdiocese at the time of the abuse.

6. At all times material, the Catholic Bishop of Chicago, a Corporation Sole (hereinafter "Archdiocese of Chicago") was and is an Illinois corporation. Defendant has approximately eight hundred fifty four Diocesan priests serving in two counties in the State of

Illinois. At all times material to the complaint, Defendant Archdiocese was conducting business in the State of Illinois.

CLASS ACTION ALLEGATIONS

7. Plaintiffs bring this action on behalf of themselves and, pursuant to 735 ILCS 5/2-801, as the representatives of the class of persons who have been molested as children by an agent of the Archdiocese of Chicago and on behalf of those children who have not yet been abused, but who are in imminent danger of abuse because the Archdiocese has not released the names and files of agents that have been accused of molesting children or accused of inappropriate sexual behavior with children to either the public or to the court.

8. The Plaintiff class is so numerous that joinder of all members is impracticable. In its own self report, the Archdiocese asserted that there were 142 cases where they had reason to suspect that an agent had sexually molested a child. These numbers only include information that was reported to the Archdiocese. The underlying data for the results was not disclosed to the public.

9. There are questions of fact or law common to the class, which predominate over questions affecting only individual members. The common questions of law or fact include, but are not limited to: whether the Archdiocese of Chicago has failed to protect children by not releasing the names of its agents who have been accused of molesting children to the public and law enforcement and whether the Archdiocese has or is destructing documents in order to cover up or conceal crimes against children by clergy serving in and/or employed by the Archdiocese.

10. The Plaintiffs will fairly and adequately protect the interests of the class. The interests of the plaintiffs are the same as those of all class members because they have all been

sexually abused by an agent of the Archdiocese of Chicago or are in danger of being molested by an agent of the Archdiocese of Chicago because the Archdiocese's information is not public. All have an interest in preventing the sexual abuse of any further children by agents of the Archdiocese of Chicago.

11. A class action is an appropriate method for the fair and efficient adjudication of the controversy alleged in this complaint. The expense and burden of individual litigation would make it difficult or impossible for individual members of the class to redress the wrongs done to them. The cost to the court system of adjudication of such individualized litigation would be substantial. Individualized litigation would also present the potential for inconsistent or contradictory judgments and would magnify the delay and expense to all parties and the court system. By contrast, the conduct of this action as a class action presents far fewer management difficulties, conserves the resources of the parties and court system, and protects the rights of each class member. In addition, the prosecution of separate actions by the individual members of the class would create a risk of inconsistent or varying adjudications with respect to individual class members which would establish incompatible standards of conduct for the defendant.

ALLEGATIONS OF FACT

12. [REDACTED] (hereinafter "[REDACTED]") was ordained a priest of the Archdiocese of Chicago in approximately 1994.

13. At all times material, [REDACTED] was employed by the Archdiocese. [REDACTED] was an ordained Roman Catholic Priest educated, trained and ordained by, and under the direct supervision, employ, agency and control of the Archdiocese. Among [REDACTED] duties in his employment was to provide pastoral care and counseling for

members of his denomination.

14. In approximately the winter of 2000, a nun at Holy Family Church in Chicago reported to the Archdiocese of Chicago that [REDACTED] asked a fourth-grade boy to pull down his pants in the sacristy at Holy Family.

15. The nun reported this numerous times to the Archdiocese.

16. On information and belief, on one occasion when the nun reported it to the Archdiocese, an official told her that "if the parents aren't pushing it, let it go."

17. After these reports, the nun made a final report to the Archdiocese, this one a written report of [REDACTED] behavior.

18. On information and belief, in 2000, the Archdiocese did not report [REDACTED] to law enforcement, did not tell any of the parishioners at any of the parishes [REDACTED] worked at in the past about the report, did not tell any of the parishioners at any of the parishes where [REDACTED] worked after these reports, and did not tell any other children or parents about the report.

19. On information and belief, after the nun reported the abuse to the Archdiocese, the Archdiocese transferred [REDACTED] to another parish, St. Agatha's in Chicago.

20. On information and belief, despite the report, the Archdiocese allowed [REDACTED] to teach at an Archdiocesan school and coach a boys basketball team.

21. In response to the clergy abuse scandal, the United States Catholic Conference of Bishops passed the Dallas Charter.

22. On information and belief the Bishops passed the Dallas Charter in 2002. The Charter was only enforced, if at all, from within. There was no meaningful external non church

oversight over its enforcement.

23. Cardinal Francis George represented to the public that the Charter was a "zero tolerance" policy that committed them to removal of priests in childhood sexual abuse cases. He also represented to the public that a priest with even one act of sexual misconduct with a child should not be allowed in public ministry in order to protect children.

24. In January of 2003, the Archdiocese released a "Ten Year Report" that purported to give information about the Archdiocese's efforts to stop childhood sexual abuse by clerics in the previous ten years.

25. On information and belief, the Ten Year Report purports to give the current status of priests that were accused of molesting a child anytime from 1993 to 2003. The report indicates that no priest accused of abuse during that time period is in any form of ministry in the Archdiocese of Chicago.

26. The Ten Year Report also states that officials of the Archdiocese have reported all allegations, including those not deemed credible, to the appropriate public authorities.

27. On information and belief, the Archdiocese did not include [REDACTED] in the Ten Year Report.

28. Also in response to the clergy abuse scandal, the United States Catholic Conference of Bishops agreed to participate in a self report survey conducted by the John Jay College.

29. As part of the John Jay survey, each Diocese submitted the number of priests that had allegations of sexual misconduct with a minor within the particular Diocese.

30. On information and belief there was no oversight over the information that was

given to the John Jay College. It was completely up to the particular Diocese to respond honestly.

31. The John Jay College defined "allegation," as all recorded notifications of clerical sexual misconduct with minors, whether or not they resulted in any investigation or whether there was reasonable cause to suspect abuse had occurred.

32. In 2004, the Archdiocese reported that it had reason to believe that 55 priests had sexual misconduct with a minor.

33. In 2004, Cardinal George and the Archdiocese represented to the public that there were no priests that were accused of childhood sexual abuse that were in public ministry in the Archdiocese of Chicago.

34. On information and belief, the Archdiocese did not include [REDACTED] in the 2004 John Jay numbers.

35. On information and belief in August of 2005, the Archdiocese learned that law enforcement was investigating [REDACTED] for childhood sexual abuse.

36. On information and belief, in August of 2005, the Archdiocese did not inform the law enforcement that a nun had reported that [REDACTED] had acted in a sexually inappropriate manner with a child in 2000.

37. On information and belief, just as it did in 2000, the Archdiocese did not report or warn any of the parishioners, the public, or the parents at St. Agatha parish that law enforcement was investigating [REDACTED] for childhood sexual abuse.

38. On information and belief, the Archdiocese elevated [REDACTED] to a position of authority in the Archdiocese on September 1, 2005. It appointed him as Dean of a Deanery of

the Archdiocese. This is an honored, respected, and supervisory position within the Archdiocese. This meant that [REDACTED] was still at St. Agathas, but also had some supervisory authority over roughly 20 parishes in the Archdiocese.

39. The Archdiocese allowed [REDACTED] to remain at St. Agathas and in the position of Dean until at least January of 2006, more four months after the Archdiocese received at least its second report of sexual misconduct against a minor by [REDACTED]

40. In January of 2006, Chicago law enforcement arrested [REDACTED] and charged him with sexually molesting two boys on multiple occasions.

41. On information and belief, the nun who reported the abuse to the Archdiocese in 2000 was contacted by the Archdiocese the day before [REDACTED] was arrested. The Archdiocese indicated to the nun that it did not have the nun's letter.

42. On information and belief, the Archdiocese also stated publicly that it has no written record of the nun's reports or the actual letter.

43. On information and belief, the Archdioceses and Dioceses across the United States, including the Archdiocese of Chicago, have been instructed to destroy documentation of sexual misconduct by priests and/or to send any of this material to the Holy See in order to claim it is immune from public discovery or disclosure.

44. On information and belief, the Archdiocese has not released the names of the 55 priests that it deemed as having reason to suspect committed sexual misconduct with children.

45. On information and belief, the Archdiocese has also not released the names of any of the other clerics, like [REDACTED] who were accused of sexual misconduct and are still in parishes, but not included in the Ten Year Report or the John Jay Survey.

46. Although the Archdiocese had not released the names of offenders, some names of Archdiocesan clerics accused of sexual misconduct have been released during the course of litigation. These names were released in 2005:

- 1) Richard "Doc" Bartz
- 2) Robert Becker
- 3) R. Peter Bowman
- 4) Daniel Buck
- 5) Eugene Burns
- 6) John Callicott
- 7) William Cloutier
- 8) Robert D. Craig
- 9) John Curran
- 10) Walter DeRoeck
- 11) Jeremiah Duggan
- 12) Richard Fassbinder
- 13) Joseph Fitzharris
- 14) Robert Friese
- 15) James Hagan
- 16) Daniel Mark Holihan
- 17) Walter Huppenbauer
- 18) Thomas Job
- 19) Robert Kealy

- 20) John Keehan
- 21) Thomas Kelly
- 22) John "Jack" Keough
- 23) Joseph Kissane
- 24) Leonard Kmak
- 25) William Lupo
- 26) Norbert Maday
- 27) Robert Mayer
- 28) Vincent McCaffrey
- 29) Donald Mulsoff
- 30) Thomas O'Gorman
- 31) James Ray
- 32) John Robinson
- 33) Kenneth Ruge
- 34) Raymond Skriba
- 35) Marion Snieg
- 36) Victor Stewart
- 37) Ralph Strand
- 38) Thomas Swade
- 39) Anthony Vader

47. Names that have not previously been released but who, on information and belief, have been accused of sexual misconduct with a minor:

1) James Flosi

48. There are also a number of religious order priests who worked in the Archdiocese. On information and belief, the Archdiocese had control and/or supervision over these clerics while they were working in the Archdiocese. On information and belief, the Archdiocese knows about these clerics' misconduct. On information and belief, those religious order clerics that have been accused of sexual misconduct are:

- 1) Robert Berlet (Christian Brothers)
- 2) Robert Brouillette (Christian Brothers)
- 3) Vincent Bryce (Dominicans)
- 4) George Dyer (Dominicans)
- 5) Terrence Fitzmaurice (Benedictines)
- 6) John Huels (Servite)
- 7) Augustine Jones (Benedictines)
- 8) Donald McGuire (Jesuits)
- 9) John Murphy (Augustinians)
- 10) Robert Murphy (Camelites)
- 11) Michael O'Connor (Augustinians)
- 12) Jean Baptiste (J.B.) Ormechea (Passionists)
- 13) Eusebio Pantoja (Claretians)
- 14) Thomas Paramo (Claretians)
- 15) Carlos Peralta (Salesians)
- 16) John Powell (Jesuits)

17) Andrew Ronan (Servites)

18) Wilton Skiffington (Jesuits)

19) Patrick Strong (Augustinians)

49. [REDACTED] sexually molested John Doe 100 at some point between approximately 2000 and 2005, when John Doe 100 was a minor child.

50. Neither John Doe 100 nor Mother Doe 100 knew that the Archdiocese had received reports about [REDACTED] sexual abuse of children.

COUNT I
(Injunction - Release of Names)

51. Plaintiffs repeat and reallege every paragraph of this complaint as if set forth in Count I.

52. Plaintiffs bring Count I on their own behalf and on behalf of the class of similarly situated persons described in paragraph 7 of this Complaint.

53. The practices of the Archdiocese of Chicago have endangered numerous children in the past and these practices will continue to put children at risk in the future.

54. Plaintiffs and the class have the right to not be sexually molested by clerics of the Archdiocese of Chicago.

55. The Archdiocese owes a duty to warn all children and their parents that come into contact with its clerics of allegations of sexual misconduct by the clerics because these children and their parents hold clerics in an esteemed position, which gives clerics virtually unlimited access to children.

56. The Archdiocese also owes a duty to children and their parents to release all of the names of clerics against whom the Archdiocese has deemed to have credible allegations of

sexual misconduct with children to the court and to the public at large.

57. The Archdiocese also owes a duty to children and their parents to release all of the names of clerics that have been accused of sexual misconduct with children to the court and to the public at large.

58. Unless injunctive relief is granted numerous children in Illinois are at risk of being sexually molested by clerics of the Archdiocese.

59. In order to ensure that children are protected and free from sexual molestation by clerics, the plaintiffs and the members of the class are entitled to an injunction ordering that the Archdiocese do the following:

- a) Release the names of all 55 of the priests that it reported to the John Jay Survey to the court and to the public.
- b) Release the names of all other clerics, like [REDACTED], that were not included in the John Jay Survey, but against whom the Archdiocese has received allegations of sexual misconduct by the cleric with children to the court and to the public.

COUNT II
(Injunction - Documents)

60. Plaintiffs repeat and reallege every paragraph of this complaint as if set forth in Count II.

61. Plaintiffs bring Count II on their own behalf and on behalf of the class of similarly situated persons described in paragraph 7 of this Complaint.

62. On information and belief, the Archdiocese still has documents that are evidence of crimes committed by clerics against children.

63. The Archdiocese has a duty to the public at large and to law enforcement to not

destroy any documents that evidence a crime.

64. The Archdiocese has a duty to children that were abused by clerics to not destroy any documents relating to the sexual misconduct or alleged sexual misconduct of any cleric at anytime in the Archdiocese of Chicago.

65. On information and belief the Archdiocese has destroyed documents and/or concealed documents and/or failed to give documents to law enforcement relating to sexual misconduct or alleged sexual misconduct by clerics of the Archdiocese.

66. Unless injunctive relief is granted, children will be at imminent risk of being molested by clerics of the Archdiocese, law enforcement will be prevented from doing its job, and those children that have already been molested by clerics will have their rights negatively affected.

67. In order to ensure that children are protected and free from sexual molestation by clerics, the plaintiffs and the members of the class are entitled to an injunction ordering that the Archdiocese do the following:

- a) Turn over any document with any connection to any allegation of sexual misconduct by a cleric against a child to the Illinois Courts for supervision of these documents.
- b) Turn over any document with any connection to any allegation of sexual misconduct by a cleric against a child to law enforcement.
- c) Cease in the destruction or spoliation of any documents with any connection to any allegation of sexual misconduct by a cleric against a child.
- d) Cease to conceal or misplace any documents with any connection to any

allegation of sexual misconduct by a cleric against a child.

COUNT III
(Declaratory Judgment)

68. Plaintiffs repeat and reallege every paragraph of this complaint as if set forth in Count III.

69. Plaintiffs bring Count III on their own behalf and on behalf of the class of similarly situated persons described in paragraph 7 of this Complaint.

70. There is an actual controversy between the plaintiffs and the members of the plaintiff class, on the one hand, and the Archdiocese, on the other hand, concerning whether the Archdiocese is adequately protecting children through its practices of not releasing the names of those clerics that have been accused of molesting children.

71. There is also an actual controversy between the plaintiffs and the members of the plaintiff class, on the one hand, and the Archdiocese, on the other hand, concerning whether the Archdiocese is adequately protecting children through its practice of not removing a cleric that is accused of molesting a child from any position where the cleric has any contact with children.

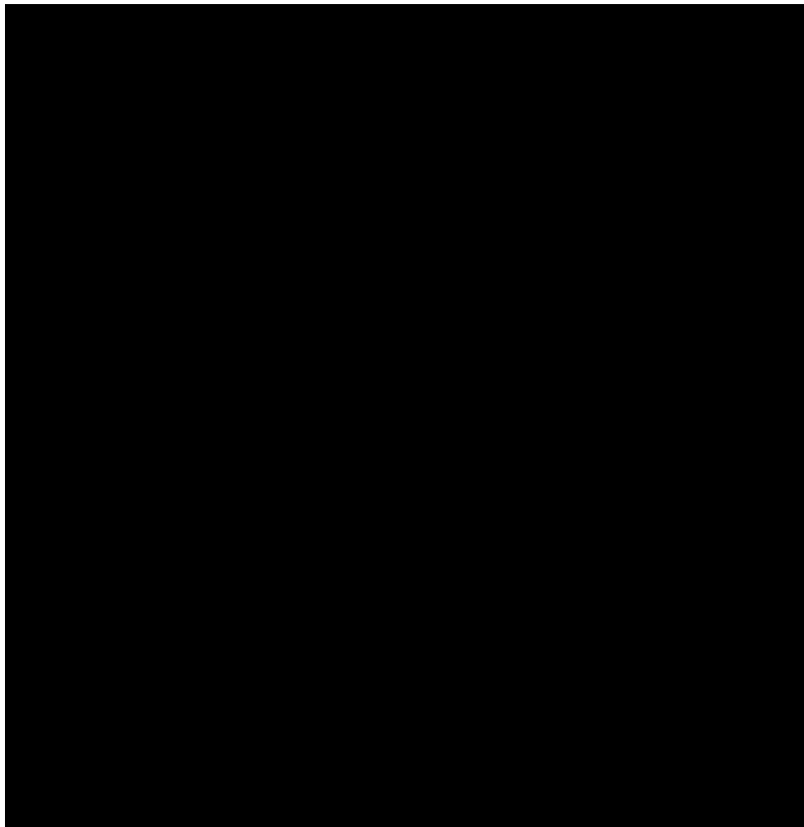
72. Finally, there is an actual controversy between the plaintiffs and the members of the plaintiff class, on the one hand, and the Archdiocese, on the other hand, concerning whether the Archdiocese is adequately protecting children through its practices of destroying and/or concealing documents evidencing allegations of sexual misconduct by clerics.

73. The plaintiffs and members of the plaintiff class are entitled to a declaration that the Archdiocesan practices of not releasing the names of clerics accused of sexual misconduct with minors, not removing clerics that are accused of sexual misconduct with children from positions where they have access to children, and by destroying and/or concealing documents, is

not adequate to protect children.

WHEREFORE, Plaintiffs respectfully request that this Court grant the relief requested within this complaint or any other relief the Court deems just in order to protect children.

Dated: January 31, 2006





COPY

FOR YOUR INFORMATION

(* required field)

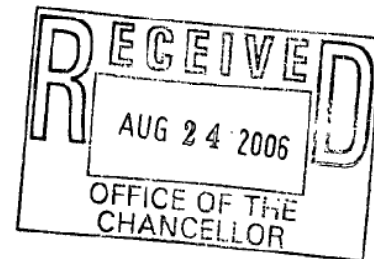
We are requesting your information below in order to provide a written response to your inquiry and so that we may contact you for additional information if necessary to adequately address your request.

First Name:					
Middle Initial:					
Last Name:					
Address:					
City:		State	il	Zip	60077

We are requesting the information below to assist in identifying the priest about whom you are inquiring. Priests can have similar names. Whatever information you can provide in identifying the priest would be helpful.

First Name:	Richard
Middle Initial:	W
Last Name:	Fassbinder
Assignment:	Priest @ Prince of Peace Church & School
Date:	I was there '83-88
Reason for your request or other comment:	
I recently found out this man was accused. I was an alter boy for him for 4 years. NEVER once was this man anything, but sincere about his faith, and a complete gentleman. he also gave me advice, and disciplind me, on numerous occasions. And was, I can't believe this even has to be said... A perfect Adult figure. Thank You	

I was there '83-88
967





ARCHDIOCESE OF CHICAGO

VICAR FOR PRIESTS

645 NORTH MICHIGAN AVENUE, SUITE 543

CHICAGO, ILLINOIS 60611

Off: (312) 642-1837

Fax: (312) 642-4933

September 1, 2006

Copy



Dear Mr. [REDACTED]

Thank you for your information concerning Father Richard Fassbinder.

It is always nice to hear good things about priests and I am delighted that Father Fassbinder was such an influence in your life. We appreciate you communicating that to us.

You may, or may not know that Father Fassbinder died in May of 2004.

Sincerely,

Sister Pat Cummings, SSND
Associate Director
Vicar for Priests