

Church can withhold its files on imprisoned priest, judge says; [West Final Edition]

Rita Hoover, Special to the Tribune. Chicago Tribune. Chicago, Ill.: Aug 14, 2004. pg. 19

Abstract (Document Summary)

The diocese had claimed that turning over internal personnel files on [Mark Campobello] would infringe upon its right of religious freedom. Neither [Timothy Q. Sheldon] nor the higher court agreed, but because the priest's guilty plea came before the ruling on May 21 by the 2nd Appellate Court, the case is moot, according to Sheldon.

Full Text (307 words)

(Copyright 2004 by the Chicago Tribune)

An Illinois Appellate Court ruling in May came too late to be enforced in a Kane County clergy sexual abuse case.

Kane County Judge Timothy Q. Sheldon, who had found the Rockford diocese in contempt of court for withholding documents from prosecutors in the case against Mark Campobello, 39, ruled Friday that with the priest in prison, the state no longer needs the files.

Campobello pleaded guilty May 13 to sexually abusing two teenage girls and is serving an 8-year prison term.

The diocese had claimed that turning over internal personnel files on Campobello would infringe upon its right of religious freedom. Neither Sheldon nor the higher court agreed, but because the priest's guilty plea came before the ruling on May 21 by the 2nd Appellate Court, the case is moot, according to Sheldon.

Van Richards, attorney for Campobello, said prosecutors were "coveting" documents in a case that already had been resolved by a guilty plea.

"What will they do with them?" asked Richards. "Hold them in their files and read them on Friday afternoons?"

Assistant State's Atty. Nemura Pencyla told Sheldon that "we're only asking for your rules to be followed in this case," adding that "the court system can only work by enforcement of its rules."

Ellen Lynch, who represents the diocese, said that the court made the right decision, and that her arguments to withhold the documents "do not in any way contradict the policy of openness and transparency" the Conference of Catholic Bishops created in response to the clergy sexual abuse crisis.

The diocese and Campobello are awaiting a trial date for two civil suits brought by the teen victims. The suits, seeking more than \$50,000 in damages, charge the diocese with negligence and Campobello with emotional and psychological damage. The next hearing in that case is scheduled for Sept. 13 in Geneva.