



Most Reverend Richard J. Garcia, D.D.
Bishop of the Diocese of Monterey

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June 1, 2010

My Dear Friends in Christ,

As we conclude the Easter Season, I pray that we continue as a hope-filled people and that each of us desires to deepen our relationship with the Risen Christ. To respond to this call to conversion and to more closely conform ourselves to Christ, we rely on the help of the Holy Spirit. Last Sunday we celebrated the descent of the Holy Spirit on the apostles as a guide to them and to us to help us do as Jesus asked. With the help of the Holy Spirit, we can examine ourselves and rededicate ourselves to do as Jesus commanded.

Just as all Christians must, the Church throughout the world and the Diocese of Monterey, specifically, is called to reflect on how well it follows the teachings of Christ, to identify areas where it can improve and to make changes to more faithfully follow Jesus. The sexual abuse of children by those ministering in the name of the Church is a sin against the rights of our precious young people. We must do all in our power to stop this abuse. We must take time to reflect on how well we are doing in working to eliminate this terrible human tragedy.

As has been widely reported in the media, the problem of sexual abuse of minors continues to challenge our society and the Catholic Church. In response to this, His Holiness Benedict XVI, recently stated that, "the church has a profound need to relearn penance, to accept purification, to learn on the one hand forgiveness but also the necessity of justice. And forgiveness is not a substitute for justice. We have to relearn these essentials: conversion, prayer and penance."

As your Bishop, I would like to take this opportunity to provide you with my reflection and report on how the Diocese of Monterey is doing in keeping its promise to protect our children.

I would like to begin by affirming that sexual misconduct by anyone ministering in the name of the Church is a grave sin against the human dignity of our children and young people. No child should have to suffer such abuse by anyone and most especially not by a priest or anyone associated with the Church. The Church should be a place of refuge for children to develop their relationship with God, to learn the faith, to celebrate the sacraments and to build a community that is safe and welcoming as a model for our secular communities.

I promise you, the faithful in this Diocese, that I will do my best to learn from the past and to recommit myself and all on my staff to ensure that no child under the care of the Diocese of Monterey is subjected to sexual abuse. To make this promise real, we continue to implement our Safe Environment Program that outlines appropriate ministerial boundaries with children, and we continue our zero tolerance policy regarding anyone associated with the Diocese of Monterey who has abused a child. Sr. Patricia Murtagh, our Chancellor is the director of this program. Under the zero tolerance policy, I promise to take swift action to protect children when a credible allegation is made that a priest, deacon, religious or lay

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person may have abused a child. For example, in the case of the arrest of a priest in Salinas last year, I immediately removed his permission to function as a priest -- meaning that he is not permitted to celebrate the sacraments -- and prohibited him from having contact with minors. I also directed my staff to cooperate fully with law enforcement.

In accord with this policy, with the Charter for the Protection of Children and with my own concern for all of our precious children and young people, I would like to assure you that there is no priest or deacon in ministry in the Diocese of Monterey with a credible claim of sexual abuse of a child.

We are also taking steps to teach our children and young people about how to keep themselves safe and encourage them to report inappropriate behavior to a trusted adult. We also educate parents about the warning signs of abuse and what to do if it appears that a child is being abused. As part of their ongoing development, we teach our priests, deacons and lay employees regarding child abuse and their responsibilities to report sexual abuse to law enforcement.

Under our Policy Against Sexual Misconduct, we conduct an investigation into allegations of sexual misconduct whether the allegation involves a priest, deacon, religious or lay person and take prompt remedial action to protect children and young people from abuse.

We conduct a criminal background check on all priests, deacons, religious and lay employees who a child would associate as a "safe" person. We also require each priest, deacon or religious who wishes to engage in ministry (even if it is only to preside at one mass or give one talk or retreat) in the Diocese of Monterey to provide a letter from his or her bishop or religious superior that he or she is in good standing and does not have an allegation of sexual misconduct in his or her background.

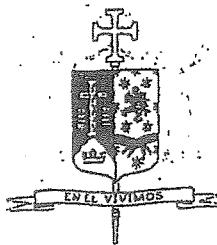
I hope and pray that there will never be another child abused by anyone especially anyone associated with the Catholic Church or most particularly with the Diocese of Monterey. However, if someone ministering in the Diocese of Monterey is found to have abused a child or if there is a credible claim of such abuse, I will take swift action to protect our precious children and young people.

Please continue to pray for the victims of sexual abuse, for all of our priests as we conclude this Year for Priests as well as our dedicated staff and volunteers. I pray for you always and I ask your prayers for me, your Bishop.

Sincerely yours in Christ,

+ Richard J. Garcia

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February 28, 2011

My dear parishioners of Mission San Juan Bautista:

I have received your many letters of support for Fr. Ed Fitz-Henry. It is wonderful to hear how he has touched so many lives in such a personal way. There is no doubt that Fr. Ed has been a positive force at Mission San Juan Bautista, and I thank him for his ministry among you. I am grateful to God for the many graces and blessings you have received through Fr. Ed's ministry.

I am more sorry than I can say that Fr. Ed finds himself in this difficult situation. I know many of you feel that what has happened to Fr. Ed is unfair and unwarranted. However, I would like to reiterate to you that Diocesan and national policies as well as the Code of Canon Law require the Diocese to take certain steps when a priest is accused of sexual misconduct with a minor.

As I mentioned in the letter that was read to you two weeks ago, the Diocese hired an independent investigator to look into the allegations to ascertain whether they are credible – meaning whether they appear true. The investigation proceeded for nearly four weeks before it was presented to the Diocesan Independent Review Board. The Diocesan Independent Review carefully considered the allegations and deliberated over two days to come to the conclusion that an allegation from nearly twenty years ago constituted a credible allegation of sexual misconduct with a minor. Our policies and the Charter for Protection of Children and Young People have a zero tolerance for sexual misconduct with a child, whether it occurred long ago or more recently. The Catholic Church has been devastated by Bishops taking too little action in the face of such claims.

In 2002, all the Bishops in the United States came together, and, as a body, ratified the Charter for the Protection of Children and Young People. This is the policy that is the law of every Diocese in the United States – not just in the Diocese of Monterey. Every Bishop committed himself to follow the Charter and to institute policies within his own Diocese that embrace and implement the Charter. What I have done in this case, is what every other Bishop in the United States would do in such a situation.

At this time, I ask each of you to understand that the Church-law process must take its course. Fr. Ed is represented by able counsel and has participated in the process to date. He continues to have many rights in the Church-law process as well as the civil and criminal processes. He continues to receive his regular stipend and I have provided a place for him to live. He is dear to me as all of my priests are, and I ask that you pray for him, for me and for all involved in this terrible situation. It is only through prayer and turning to one another, that we can continue the good work that Fr. Ed has done at Mission San Juan Bautista.

I have placed Fr. Jim Henry at Mission San Juan Bautista to provide the sacramental needs of the parish. I know that you will find Fr. Jim Henry a loving person who will be available to you as you face this difficult time.

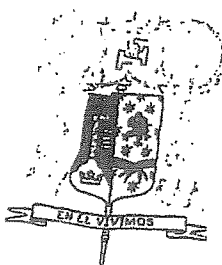
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February 14, 2011

My dear friends in Christ,

I have asked Susan to be with you today to give you some difficult news. On Friday, January 7, 2011, the Diocese received a letter outlining a serious allegation of sexual misconduct against Fr. Edward Fitz-Henry. Because this allegation involved sexual abuse of a minor, the diocese immediately reported this allegation to the Salinas Police Department for investigation and we pledged our full cooperation with the police department's investigation.

That same night, I suspended Fr. Fitz-Henry from ministry, and I removed his faculties to function as a priest. He was also directed to move out of the rectory at Mission San Juan Bautista. He cooperated fully with me.

Under our policies, the Charter for the Protection of Children and Young People and the law of the Church, the Diocese of Monterey began an investigation into the allegations raised in the letter. The Diocese retained an independent investigator to help the Diocesan Independent Review Board and me determine whether the allegation was "credible."

The investigator presented his investigation to the Diocesan Independent Review Board on Wednesday evening. Through the investigation process, we learned additional information about an incident that occurred almost twenty years ago. The Independent Review Board has determined that there is evidence that this past incident involved sexual misconduct with a minor and that it appears credible. However, the allegations raised on January 7, 2011 could not be specifically verified. Fr. Fitz-Henry and the Salinas Police Department have been informed of this conclusion. Fr. Fitz-Henry remains suspended from ministry.

Under the law of the Church and the Charter, once the matter has been determined to be credible, Fr. Fitz-Henry's case must be submitted to Rome for evaluation. The most likely next step is that there will be a Church trial to determine whether Fr. Fitz-Henry violated the laws of the Church.

Because of this finding of credibility, the next step is to inform you, the parishioners of this finding and to encourage anyone who believes that he or she is a victim of sexual abuse by Fr. Fitz-Henry to report to the San Benito County Sheriff's Office or to the Diocese. If you wish to report to the Diocese, you may call the Pastoral Office or may report through ethicspoint.com. I have placed some ethicspoint brochures in the pews. The telephone numbers for the Pastoral Office are on these brochures as is the web address and telephone number for ethicspoint.

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