REV. GERALD FESSARD

DOCUMENTS PRODUCED BY THE ARCHDIOCESE OF LOS ANGELES 2013
PURSUANT TO JCCP 4286 SETTLEMENT AGREEMENT

Vicar for Clergy Database

Clergy Assignment Record (Detailed)

Mr Gerald B. Fessard

[redacted]

Current Primary Assignment

Birth Date	7/14/1946	*Age:*	66
Birth Place	Little Rock, Arkansas, USA	*Deanery:*	22
Diaconate Ordination			
Priesthood Ordination	5/27/1972		
Diocese Name	Archdiocese of Los Angeles		
Date of Incardination	5/27/1972		
Religious Community			
Ritual Ascription	Latin		
Ministry Status	To Lay State		
Canon State	Diocesan Priest	*Incard Process*	☐
Begin Pension Date	6/12/1972		

Home phone [redacted]

Cell phone

Seminary St. John's Seminary, Camarillo

Ethnicity English

Language(s)	*Fluency*
Spanish	Conversational Basics

Fingerprint Verification and Safeguard Training

Date Background Check

Virtus Training Date

Assignment History

Assignment	*Beginning Date*	*Completion Date*
Returned To Lay State, Rescript from the Congregation of the Doctrine of the Faith, Prot. No. 223/02.	12/19/2007	
Inactive Leave, NO FACULTIES. OUT OF PRIESTLY MINISTRY.	2/16/2002	12/19/2007
Maryknoll Convent, Monrovia Chaplain, Active Service	3/1/1995	2/16/2002
Maryknoll Convent, Monrovia Resident, Active Service	2/5/1995	2/16/2002
St. Gregory Nazianzen Catholic Church, Los Angeles Resident, Active Service, Temporary	9/26/1994	2/28/1995
St. Luke the Evangelist Catholic Church, Temple City Resident, Active Service	8/22/1991	9/25/1994

Archdiocesan Catholic Center, Los Angeles Tribunal, Active Service, Matrimonial Tribunal Office.	8/15/1991	2/16/2002
Tribunal, Study Assignment	8/1/1989	8/21/1991
St. Timothy Catholic Church, Los Angeles Associate Pastor (Parochial Vicar), Active Service	2/1/1988	7/30/1989
Archdiocesan Catholic Center, Los Angeles Tribunal, Active Service, Tribunal Intern	12/14/1987	7/30/1989
St. Martin of Tours Catholic Church, Los Angeles Hospitality, Hospitality	12/10/1987	1/31/1988
Sick Leave	7/8/1987	12/9/1987
In Transition	4/3/1987	7/7/1987
Queen of Angels Seminary, Mission Hills Dean of Studies, Active Service	2/1/1987	4/2/1987
St. Martin of Tours Catholic Church, Los Angeles Resident, Resident	6/29/1986	1/30/1987
St. Paul Catholic Church, Los Angeles Resident, Resident	7/9/1985	6/28/1986
Archdiocesan Catholic Center, Los Angeles Superintendent, Active Service, Associate, Elementary Schools	6/15/1981	7/8/1985
St. Eugene Catholic Church, Los Angeles Resident, Resident	6/15/1981	7/8/1985
St. Clement Catholic Church, Santa Monica Resident, Resident	7/9/1980	6/14/1981
St. Bernard High School, Playa del Rey Education-Teacher/Faculty, Active Service	7/9/1980	7/8/1985
Santa Clara Catholic Church, Oxnard Resident, Resident	7/15/1977	7/8/1980
Santa Clara High School, Oxnard Education-Teacher/Faculty, Active Service	7/15/1977	7/8/1980
St. Pius X Catholic Church, Santa Fe Springs Associate Pastor (Parochial Vicar), Active Service	6/16/1975	7/14/1977
St. Charles Borromeo Catholic Church, North Hollywood Associate Pastor (Parochial Vicar), Active Service	6/12/1972	6/15/1975

Page: 1 Document Name: untitl

TCIS - INACTIVE CASE SUMMARY JUD DIST LAA

CASE# 87M14440 DEF# 01 VIOL DT 031787 FILE DT 060187
FIRST GERALD MID BUCKLEY LAST FESSARD SUFX
DOB 07141946 SEX M HAIR BRO EYES BLU HGT 509 WGT 160 RACE W
ID#S: OLN M0844526 ST CA PD 71611599 SSN REDACTED BKG
VLN ST CIT MAIN CII 90707148
LCN FBI
FICHE DATE 1: 022094 FICHE DATE 2:

--- CASE DISPOSITION ---

CT	VIOL	TYPE	PLEA	DATE	CODE	JAIL	PROB	FINE
01	647(A) PC	MA	NC	062387	CON			
02	242 PC	MA		062387	DIA			
03	647(A) PC	MA		062387	DIA			
04	242 PC	MA	NC	062387	CON			

ADDTL CHARGES PRESS PA1

NXT CASE# DEF# * INCS *

L.A.S.C.-CRIMINAL COURTS #32
210 W. TEMPLE ST.
LOS ANGELES CA 90012

DATE PAID: 03/21/03 09:57:10 AM
RECEIPT #: LAB479740003

CIT/CASE: SEARCH LEA/DEF#: 01
0410

PAYMENT: $11.60
RECEIVED:
CHECK: 11.60
CASH:
CHANGE:
CARD:

THIS IS A REPRINT OF THE ORIGINAL

Date: 03/20/2003 Time: 12:38:23 PM

55909

First Courier Service

First Legal Support Services

Web address: firstlegalsupport.com

Los Angeles	(213) 250-1111	Fax (213) 250-1197
	(213) 250-9111	Fax (213) 250-1197
Los Angeles (West)	(310) 277-9111	Fax (310) 277-9153
	(310) 277-7101	Fax (310) 277-9153
Inland Empire	(909) 779-1110	Fax (909) 779-0100
Sacramento	(916) 444-5111	Fax (916) 443-3111
San Diego	(619) 231-9111	Fax (619) 231-1361
San Francisco	(415) 626-3111	Fax (415) 626-1331
Santa Ana	(714) 541-1110	Fax (714) 541-8182

FOR MESSENGER USE ONLY

DATE: 3/25

CTL# 2835848

CHARGE TO:	AUTHORIZATION / REQUESTED BY	FIRST SERVICES USE ONLY
REDACTED REDACTED	REDACTED	DEL RT
	CHARGE REF: ARCH CLA	ADVANCE FEES
		WT / MIN
		LBS
		COURT SERVICE
		CHECK CHG
		TOTAL
		FIRST LEGAL ADDITIONAL USE

PICK UP FROM: HPD

TO SEE:
PHONE:

REDACTED
Archdiocese
TO SEE: 3424 Wilshire, 11th Floor
PHONE: LA, CA 90010

- ☐ SPECIAL
- ☒ ASAP (1 Hr.)
- ☐ RUSH (2 Hrs.)
- ☐ REGULAR (3 to 4 Hrs.)
- ☐ NEXT DAY (BY ____)
- ☐ NFO
- ☐ RETURN
- ☐ NIGHT / WEEKEND SERVICE

Pieces ____
Weight ____
P/U Time ____

SPECIAL INSTRUCTIONS

LEGIBLE SIGNATURE	DEL TIME	DRIVER	CHECK NO.	AMOUNT
REDACTED	4:40	1 410	1	1
		2	2	2

LIABILITY FOR LOSS OR DAMAGE TO ITEMS LIMITED TO $250.00

MEMBER FIRM – CALIFORNIA ASSOCIATION OF PHOTOCOPIERS AND PROCESS SERVERS
NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS

55910

REV. GARY FESSARD

NOTES

CONFIDENTIAL

Thursday, April 2, 1987:

Called REDACTED at 11 A.M. Went out to Seminary in afternoon. Called Archbishop at noon. Called him again on his return from Washington at 9 P.M.

Friday, April 3, 1987:

Met with bishops and gave them an overview. Met again with them before lunch and Pat Ziemann gave them a report.

Friday, April 3, 1987:

Met with Archbishop and Gary at 7:30 P.M. at cathedral.

Gary private line at Seminary = REDACTED
REDACTED = REDACTED

Archbishop spoke of need to be completely candid; of Gary's going to treatment, and of the possibility of his coming back in a strictly defined ministry--chaplain, administration. He would perhaps help at a series of parishes on weekends.

Gary was concerned about the possibility of police action and about continuing to be a priest.

A - REDACTED REDACTED

REDACTED

REDACTED 4-2-87

B - ⊗ Police Department

Los Angeles Police Department

REDACTED

4-2-87 - 3:10 P.M.

C - See attached list A.

REDACTED

La Police Dept
213 485-2883

Sexually molested - Child Division

List A - # C & D

A

REDACTED

REDACTED

3

REDACTED

2.

4. REDACTED

5. REDACTED

(Mother)

Present location - Our Lady Queen of the Angels Seminary - 15101 San Fernando Mission Blvd. Mission Hills, Ca. 91345 - 818 - REDACTED

4872

E. 1. Date / Time of Incident - Uncertain
Place - Uncertain

2. ⊗ other

3. Narrative Description:
Two students claimed that Mr. Gerald Nessard touched them in an immodest way at night when they were in the dormitory area. ~~The~~
Three students stated that they were embraced and touched by Mr. Gerald Nessard at his cabin last weekend.

5. REDACTED and REDACTED claimed that Mr. Nessard touched them in the genital area waking them up when they were asleep in the dormitory area around midnight.

REDACTED and REDACTED stated that they went to Mr. Nessard's cabin and while they were telling Ghost stories they became frightened and went to bed with him. REDACTED stated that Mr. Nessard rubbed his neck and embraced him while in bed.

REDACTED claimed that Mr. Nessard put his arms around him while in bed.

4873

REDACTED was not able to be seen that day the other boys were interviewed.

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

COPY

OFFICE OF VICAR FOR CLERGY
REDACTED

April 20, 1987

Rev. William Perri
Servants of the Paraclete
Jemez Springs
New Mexico 87025

Dear Father Perri:

I am writing you here about a priest from this Archdiocese whom we would like to send to Jemez Springs if you can accommodate him. His name is Father Gerald B. Fessard.

Until recently, Father Fessard was assigned to our High School Seminary, but two weeks ago two sophomore boys accused him of touching them sexually in the dormitory around midnight some time ago. Father Fessard denies these allegations, but he does admit to very inappropriate behavior involving sleeping in the same bed with three other students at a mountain cabin recently.

According to California law, the allegations had to be reported to the police, and they are now conducting an investigation. It is not clear whether the State will press charges, but we are hoping very much it will not. As soon as the investigation has been completed, we would very much like Father Fessard to go to Jemez Springs, and I wanted to let you know of this in advance.

Look forward to visiting with you at the end of this month.

Sincerely yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

REDACTED

4997

Telephone
REDACTED

EAST SAN FERNANDO VALLEY AREA OFFICE
PROBATION DEPARTMENT
COUNTY OF LOS ANGELES
14414 Delano Street
Van Nuys, California 91401

REDACTED
Deputy Probation Officer

REDACTED

June 18, 1987

Rev. Msgr. Thomas Curry
THE CHANCERY OFFICE
1531 W. Ninth Street
Los Angeles, CA 90015

Dear Tom:

First of all, I want to thank you for facilitating the initial loan for my legal expenses through the end of April. Since then, I have been charged an additional $[redacted] for May. However, since I expect there will be a significantly greater amount charged for June, I will wait until later to submit request for further assistance, including the above amount at that time.

As I already reported to REDACTED, my stay at REDACTED was ongoing from April 8 through April 30. From May 1 through June 5, I spent an average of three nights each week at the retreat house, the remainder of the time having been spent at Pine Mountain. In addition to room and board at REDACTED, the retreat house generously provided the use of their telephone, so I would hope that your compensation to them might include some remuneration for this. The Jesuit community there were most gracious and supportive.

During the portion of the past six weeks I have spent at Pine Mountain, I have of course been responsible for my own room and board here, the expense of which has been greater than my normal use of the cabin would have been. I feel I should pay for the cabin utilities, which I have used practically exclusively during the past two months, so I would request the assistance of the Archdiocese for my room and board, at the following suggested schedule, based on four days per week for the seven weeks May 1 - June 20 (28 days):

Food @ $10 $[redacted]
Utilities
Telephone

Total [redacted] check requested

I will contact you re reimbursement for my stay at Laguna Niguel REDACTED at a later time.

Finally, as I am no longer staying at REDACTED, could you please ask REDACTED to see that all mail, including monthly salary check, is sent to me at the above P.O. box in Laguna Beach? Thanks very much, Tom, for your help. Please let me know if you feel the above suggestion is out of line. God bless you.

4994

MEMORANDUM

CONFIDENTIAL

DATE: June 19, 1987

FROM: Monsignor Curry

TO: Archbishop Mahony

RE: Rev. Gary Fessard

Gary had hoped to be able to plead guilty to one charge of battery, but now the City Attorney is shying off and insisting he must plead to one charge of battery and one charge of sexual molestation. Apparently, he will still not have to show, and it is unlikely that there will be any publicity for the Archdiocese.

Even though he will probably be granted probation, the consequences will be more severe for Gary. His lawyer is checking to see if he would have to register as a sex offender.

Please keep me informed,

+ RMM

6-2287

DATE: June 23, 1987

TO: File

FROM: Msgr. Curry

RE: Rev. Gerald B. Fessard

Hearing today. Pleaded guilty to two charges. According to REDACTED the police did not want a press release. City Attorney is REDACTED and REDACTED is suppose to call to ensure there will be none.

Probation for 3 months. Jemez Springs is part of the recommendation. Check in with Probation Officer every month. Register with County Sheriff. He can use Chancery as an address. Police have informed Kern Co. However, it is unlikely the police will press charges and if they do, judge here will vacate plea.

Talked with Gary and REDACTED about all this.

MUNICIPAL COURT OF JUDICIAL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
P&S MEMORANDUM OF COURT ORDER – PROBATION

People of the State of California vs.	Area Office:	Date of Order: 6-23-87
	Judge: CONNOR	Division: 82
GERALD BUCKLEY FESSARD	Offense(s): 647(a) PC; 242 PC	
	Case No.: 87M14440	Probation No. X-

REC. ORDERED

☐ ☐ Probation/Diversion denied. ☐ Remaining counts _____

☐ ☐ Sentence imposed: ☐ _____ days imprisonment in the County Jail; credit for _____ days pre-sentence time served.
☐ $ _____ or _____ days in the County Jail.

☐ ☒ Imposition of sentence suspended. ☐ Execution of said sentence suspended.
☐ ☒ Granted conditional sentence/formal Probation.
☐ Yes ☒ Probation/Diversion granted for 36 months. ☐ Pay Diversion Administrative Fee of $ _____.
☐ ☐ Defendant shall pay **cost of probation services** ☐ in amount of $ _____, pursuant to 1203.1b Penal Code.
☐ ☐ Defendant shall pay **cost of incarceration** ☐ to DTTC or ☐ to the Court pursuant to 1203.1c Penal Code.

TERMS AND CONDITIONS IMPOSED AS TO COUNT(S) _____.

REC. ORDERED

☐ 1. ☐ Spend first _____ days in **County Jail.** ☐ Defendant shall serve _____ days on consecutive week-ends in the County Jail of Los Angeles County, each week-end period to be from _____ M. on _____ to _____ M. on _____ beginning on _____, 19 ____. ☐ Credit for _____ days pre-sentence time served.

☐ 2. ☐ Pay a fine of $ _____ plus $ _____ assessment(s), plus ☐ $1.00 Night Court, ☐ or serve _____ days in the County Jail, ☐ Through Court Clerk/Probation Officer as follows: $ _____ forthwith: $ _____ on the _____ of each month commencing _____ until paid; ☐ In the manner directed by the Probation Officer.

☐ 3. ☐ **Make restitution** to victim(s) through the Probation Officer in such amount and manner as officer shall prescribe, the total amount to include a 2% service charge as authorized by section 279 Welfare and Institutions Code.

☐ 4. ☐ **Abstain** from the use of all **alcoholic beverages,** including beer and wine, and stay out of places where they are the chief item of sale.

☐ 5. ☐ **Cooperate with Probation Officer** in any program designed to curb defendant's drinking habit.

☐ 6. ☐ **Not use or possess** any narcotics, dangerous, or restricted drugs or associated paraphernalia, except with valid prescription, and stay away from places where users congregate.

☐ 7. ☐ **Not associate** with persons known by you to be narcotic or drug users or sellers, **except** in an authorized drug counseling program.

☐ 8. ☐ Submit to periodic **anti-narcotic test,** as directed by the Probation Officer, such testing to be suspended while the Probationer is in custody, is hospitalized, or is in a residential drug treatment program approved by the Probation Officer.

☐ 9. ☐ **Not have blank checks** in possession, not write any portion of any checks, not have bank account upon which you may draw checks. Δ TO REGISTER Pursuant to §290.

☐ 10. ☒ **Not (associate with)** (harass, molest or annoy) _____ in any way; any communication between the Probationer and parties to have the prior approval of the Probation Officer.

☐ 11. ☒ **Cooperate with Probation Officer** in a plan for PSYCHIATRIC COUNSELLING – IN HOUSE RESIDENTIAL IN ALBUQUERQUE, NEW MEXICO.

☐ 12. ☐ **Support dependents** as directed by Probation Officer.

☐ 13. ☐ Seek and maintain **training, schooling, or employment as** approved by Probation Officer.

☐ 14. ☐ Maintain **residence** as approved by Probation Officer.

☐ 15. ☐ **Not drive** a motor vehicle unless lawfully licensed to drive, and then only when PL & PD insurance has been obtained and evidence thereof shown to the Probation Officer.

☐ 16. ☐ Not own, use or possess any **dangerous or deadly weapons.**

☐ 17. ☐ Submit his/her person and property to **search or seizure** at any time of the day or night by any law enforcement officer or by the Probation Officer with or without a warrant.

☐ 18. ☒ **Obey all laws,** orders of the court, and ~~rules and regulations of the~~ Probation Officer.

☐ 19. ☐ Spend _____ days/hours in **community service** and show proof of completion to P.O./Court by _____.

☐ 20. ☐ **Not associate** with children under 14 years, except in presence of responsible adults.

☐ 21. ☒ **Continued** to 8-10-87 at 9A M. for PROGRESS ☐ defendant ordered to return.

☐ 22. ☒ Other Δ TO ENROLL ASAP IN PGM. Δ NOT TO HAVE ANY EMPLOYMT ALLOWING DIRECT ACCESS TO CHILDREN. Δ NOT TO BE IN PRESENCE OF MINORS WITHOUT ANOTHER RESPONSIBLE ADULT.

23. ☐ **Defendant acknowledges** that s/he understands and accepts each term and condition of the grant of probation/diversion. Δ TO RETURN NOTARIZED COPY OF CONDITIONS

Clerk of the above named Court. By _____

4992

76M150N—Prob. 1224 (Rev. 4/85) P&S MEMORANDUM OF COURT ORDER – PROBATION

MUNICIPAL COURT OF JUDICIAL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
P&S MEMORANDUM OF COURT ORDER – PROBATION

People of the State of California vs.	Area Office:	Date of Order: 6-23-87
	Judge: REDACTED	Division: 82
GERALD Buckley FESSARD	Offense(s): 647(a) PC; 242 PC	
	Case No.: 87M14440	Probation No. X–

REC. ORDERED

☐ ☐ Probation/Diversion denied. ☐ Remaining counts _____

☐ ☐ Sentence imposed: ☐ _____ days imprisonment in the County Jail; credit for _____ days pre-sentence time served.
☐ $ _____ or _____ days in the County Jail.

☐ ☒ Imposition of sentence suspended. ☐ Execution of said sentence suspended.
☐ ☒ Granted conditional sentence/formal Probation.
☐ Yrs ☒ Probation/Diversion granted for 36 months. ☐ Pay Diversion Administrative Fee of $ _____.
☐ ☐ Defendant shall pay cost of probation services ☐ in amount of $ _____, pursuant to 1203.1b Penal Code.
☐ ☐ Defendant shall pay cost of incarceration ☐ to DTTC or ☐ to the Court pursuant to 1203.1c Penal Code.

TERMS AND CONDITIONS IMPOSED AS TO COUNT(S) _____.

REC. ORDERED

☐ 1. ☐ Spend first _____ days in County Jail. ☐ Defendant shall serve _____ days on consecutive week-ends in the County Jail of Los Angeles County, each week-end period to be from _____ M. on _____ to _____ M. on _____ beginning on _____, 19____. ☐ Credit for _____ days pre-sentence time served.

☐ 2. ☐ Pay a fine of $ _____ plus $ _____ assessment(s), plus ☐ $1.00 Night Court, ☐ or serve _____ days in the County Jail, ☐ Through Court Clerk/Probation Officer as follows: $ _____ forthwith: $ _____ on the _____ of each month commencing _____ until paid; ☐ In the manner directed by the Probation Officer.

☐ 3. ☐ Make restitution to victim(s) through the Probation Officer in such amount and manner as officer shall prescribe, the total amount to include a 2% service charge as authorized by section 279 Welfare and Institutions Code.

☐ 4. ☐ Abstain from the use of all alcoholic beverages, including beer and wine, and stay out of places where they are the chief item of sale.

☐ 5. ☐ Cooperate with Probation Officer in any program designed to curb defendant's drinking habit.

☐ 6. ☐ Not use or possess any narcotics, dangerous, or restricted drugs or associated paraphernalia, except with valid prescription, and stay away from places where users congregate.

☐ 7. ☐ Not associate with persons known by you to be narcotic or drug users or sellers, except in an authorized drug counseling program.

☐ 8. ☐ Submit to periodic anti-narcotic test, as directed by the Probation Officer, such testing to be suspended while the Probationer is in custody, is hospitalized, or is in a residential drug treatment program approved by the Probation Officer.

☐ 9. ☐ Not have blank checks in possession, not write any portion of any checks, not have bank account upon which you may draw checks. Δ TO REGISTER Pursuant to §290.

☐ 10. ☒ Not (associate with) (harass, molest or annoy) _____ in any way; any communication between the Probationer and parties to have the prior approval of the Probation Officer.

☐ 11. ☒ Cooperate with Probation Officer in a plan for PSYCHIATRIC COUNSELLING – IN HOUSE RESIDENTIAL IN ALBUQUERQUE, NEW MEXICO.

☐ 12. ☐ Support dependents as directed by Probation Officer.

☐ 13. ☐ Seek and maintain training, schooling, or employment as approved by Probation Officer.

☐ 14. ☐ Maintain residence as approved by Probation Officer.

☐ 15. ☐ Not drive a motor vehicle unless lawfully licensed to drive, and then only when PL & PD insurance has been obtained and evidence thereof shown to the Probation Officer.

☐ 16. ☐ Not own, use or possess any dangerous or deadly weapons.

☐ 17. ☐ Submit his/her person and property to search or seizure at any time of the day or night by any law enforcement officer or by the Probation Officer with or without a warrant.

☐ 18. ☒ Obey all laws, orders of the court, and rules and regulations of the Probation Officer.

☐ 19. ☐ Spend _____ days/hours in community service and show proof of completion to P.O./Court by _____.

☐ 20. ☐ Not associate with children under 14 years, except in presence of responsible adults.

☐ 21. ☒ Continued to 8-10-87 at 9H M. for Progress ☐ defendant ordered to return.

☐ 22. ☒ Other Δ TO ENROLL ASAP IN PGM. Δ NOT TO HAVE ANY EMPLOYMT ALLOWING DIRECT ACCESS TO CHILDREN. Δ NOT TO BE IN PRESENCE OF MINORS WITHOUT ANOTHER RESPONSIBLE ADULT. Δ TO RETURN NOTARIZED COPY OF CONDITIONS.

☐ 23. ☐ Defendant acknowledges that s/he understands and accepts each term and condition of the grant of probation/diversion.

Clerk of the above named Court. By _____

76M150N—Prob. 1224 (Rev. 4/85) P&S MEMORANDUM OF COURT ORDER – PROBATION 254523

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

COPY

OFFICE OF VICAR FOR CLERGY
REDACTED

June 24, 1987

Los Angeles County Probation Department

To Whom It May Concern:

This is a character reference for Rev. Gerald B. Fessard. I have known him since his ordination as a priest in 1972, both personally and by reputation, and know him to be a person of competence, dedication, and concern for others.

I believe him to be a serious and trustworthy individual. In my role of Vicar for Clergy, in charge of priestly personnel in the Archdiocese of Los Angeles, I have worked with him in his recent difficulties, and he has always been most willing and cooperative in responding to suggestions for treatment and efforts to take care of the difficulties in his life.

I would be happy to respond with further information if that would be helpful.

Thomas J. Curry

Rev. Msgr. Thomas J. Curry
Vicar for Clergy

4988

DATE: June 29, 1987

TO: REDACTED

FROM: Msgr. Curry

RE: Attached check request for Manresa Retreat House

Manresa Retreat House provided a room for Father Gary Fessard for some 69 days during the time the police investigation was proceeding.

It is impossible to get a figure from them as they only accept donations but we have figured this at the daily rate plus some extra for phone service they provided, as well as the very big factor that they have done this for us before and it is a most helpful refuge when we need one in a storm of this nature.

I hope it can go through on this basis. Needless to say it would be impossible to get any kind of bill from them. I approve this amount as fair and just given the circumstances.

REDACTED

June 28, 1987

Dear REDACTED

As I guess REDACTED has told you, it would seem that the first phase of the very painful and difficult ordeal which began April 2 is behind me. As the police and legal matters seem to have been headed toward a resolution with my assignment to a three-year probation by the court, I can finally look to a time of renewal and hopefully a speedy return to ministry, which I miss so very much. I want to take this opportunity to thank you once again for your understanding, your spiritual and material support, and your continued hopefulness during this time which, through my own weakness, has been made more painful and anxious for you, for REDACTED and for the members of the minor seminary community. I deeply regret what has happened, both to myself,to you and to others. I hope and pray that I may make a more positive contribution to the Church in the near future, as, thanks to God's grace, I have been able to do in years past.

I know you share my sense of relief and gratitude to God that, thus far, this incident has not provoked adverse publicity for the archdiocese or the minor seminary. This was my main goal when I spoke to you early in April, and it has remained so. I am grateful to my attorney, REDACTED REDACTED for his skill in maintaining this privacy, and I am also grateful to you and the archdiocese for your assistance in advancing me the funds to pay for his services. I hope to repay as soon as possible.

In our April meeting, you indicated that I would come to know a very deep sharing in the passion and death of our Lord, as Lent came to a close. You were so right, and indeed my time at Manresa was a source of suffering, but also of great consolation and hope. Though Lent was much longer than usual for me this year, I was likewise blessed to enjoy a special sense of resurrection joy and hope during the Easter season. Though it was a heavy cross not to be able to celebrate the paschal triduum and Easter season with our people, as I had been so privileged to do in the past, the Lord nonetheless was so rich with his blessings, such as the beautiful experience of liturgy I was able to share Good Friday and Holy Saturday at Valyermo, and the love and support of the Jesuit community at Manresa. I will always to indebted to them for being my "family" during this time.

I guess one could say that I have experienced something of a "Babylonian captivity" during the past three months. And now I am anticipating some further time in the desert as I prepare to go to Jemez Springs, New Mexico, next Sunday. I will miss very much, as I have missed, my family and friends, the people whom I have served in Christ's love, and my brother priests, from whom I have received great support. As my tolerance for pain is somewhat low, I ask for your special prayers during this time of separation. Though I still no doubt have some tortuous miles of road to walk, I am aware of the Lord's journeying with me, as well as his disciples, such as yourself. You are, of course, in my prayers daily. I hope to see you again soon, and to share once again the work of the vineyard.

Fraternally in Christ,

Gary Fessard

4963

Date: June 29, 1987

Check Request

COPY

TO: [redacted]

FROM: Monsignor Curry

AMOUNT: $2000.

REASON:

Courtesy to Archdiocese

CHECK PAYABLE TO:

MANRESA RETREAT HOUSE

CHECK TO BE GIVEN OR MAILED TO:

[redacted]

COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3288

Office of the Archbishop

July 10, 1987

Reverend Gerald B. Fessard
Servants of the Paraclete
Jemez Springs, NM 87025

Dear Gary:

I wish to thank you for your letter of June 28th, and I deeply appreciate the many sentiments which you have shared with me in that letter.

As you continue to journey through the treatment program at Jemez Springs, please be assured of my very special prayers for you that both the graces of the experience and the therapy provided will be useful to you as you reshape your life and future.

As you are now vividly aware, the matters in which you have been involved are of the utmost gravity and therefore we must continue to look ahead to a specially tailored ministry for you according to the recommendations and plan developed for you at Jemez Springs. Please know that we will work closely with the professionals at Jemez Springs to assist in the coming months and years so that we can minimize the dangers for both you and the Church in the future.

With kindest personal regards, I am

Fraternally yours in Christ,

+ RMM

Most Reverend Roger Mahony
Archbishop of Los Angeles

cc: Monsignor Thomas Curry

REDACTED

4962

REV. GERALD B. FESSARD
MEDICAL, MOVING, ROOM & BOARD EXPENSES
JULY 13, 1987

Medical Expenses (Not Covered by Health Plan)
(Insurance EOB's Enclosed)

REDACTED

	[redacted]	
(eye exam & glasses)	[redacted]	
Total Med Exp	[redacted]	[redacted]

Moving Expenses
(Receipts Enclosed)

Berger Storage Co. (boxes, etc)	[redacted]	
Transportation to N.M. (Gasoline & Meals)	[redacted]	
Total Moving	[redacted]	[redacted]

Room & Board
(reimbursement for use of Laguna Niguel included, Pine Mt. Utilities, Food, etc.)

June 14 - July 4: 21 days @ $10	[redacted]	
Total Room & Board	[redacted]	[redacted]
Total Expenses Submitted		[redacted]

Thank you.

Gerald B Fessard

[redacted]

(Rev.) Gerald B. Fessard
Foundation House, Rt. 4
Jemez Springs, NM 87025

Phone: 505-829-3634
505-829-3985

4961

Foundation House, Rt. 4
Jemez Springs, NM 87025
July 13, 1987

Rev. Msgr. Thomas Curry
THE CHANCERY OFFICE
1531 W. Ninth Street
Los Angeles, CA 90015

Dear Tom:

As you probably know by now, I arrived safe and sound last Monday evening and spent the last week undergoing evaluation. I have not received the results as yet, but I assume you will receive a copy when it is completed.

I have just about gotten settled and find the place comfortable and absolutely beautiful. The staff have been very pleasant and very professional. Our program begins this evening, and I am anxious to begin.

As I believe you have been informed, I was asked to move over to the Foundation House module, which I was happy to do. As you know, it is definitely a five-month program, and I also feel that the move indicates a positive feeling on the part of the staff about my case. The atmosphere is also less institutional, which is nice. I'll also have to brush up on my musical skills, as it looks as if I am being drafted for service at liturgy.

Though there was naturally a bit of anxiety in the period immediately following my arrival, I am now more at ease. The program looks to be quite intensive and there is much to keep us busy. The surroundings certainly speak of the Lord's power and presence!

I am enclosing a sheet detailing my medical, moving and living expenses since my last submission. REDACTED wrote recently indicating that payment for that submission would be coming soon. I thought the sooner I got this one in the pipeline, the better. Thank you for your help.

I really appreciate your assistance during the past difficult three months. I very much regret the troubles I have caused you and others through my weakness, and I am grateful for your understanding in support.

I will keep youposted as life goes on, and you will of course be receiving monthly reports from the staff.

Just a reminder about the request I made of you on the telephone recently. If you could please have a Tidings sent to me here, I would very much appreciate it.

Hope you have a good summer and are able to get away for some rest. You have certainly been working overtime. Blessings and peace.

Fraternally,

Gary

Gary Fessard

4960

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
(213) 251-3284

[redacted]
Manresa Retreat House
18337 East Foothill Boulevard
P.O. Box K
Azusa, CA 91702

Dear [redacted]

I would like to take this opportunity to thank you very much for your hospitality to Gary Fessard during this difficult time and for your assistance to the Archdiocese.

I am enclosing check as a token of our gratitude and only regret that it took so long to get it through the bureaucracy here.

Sincerely yours in Christ,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

/lbm
Enclosure

HE ROMAN CATHOLIC ARCHBISHOP [A CORPORATION SOLE] LOS ANGELES 1531 West Ninth Street Los Angeles, CA 90015-1. A 10126

DATE	INVOICE NO.	DESCRIPTION	AMOUNT
6/29/87		Courtesy to Archdiocese	[redacted]
		TOTAL –	[redacted]

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES
(A CORPORATION SOLE)
Los Angeles, California 90015-1194

16-66
1220

A 10126

OLYMPIC-UNION BRANCH
BANK OF AMERICA
LOS ANGELES, CALIFORNIA

CHECK NO.	10126
DATE	AMOUNT
7/15/87	[redacted]

PAY: ******2,000 DOLLARS AND 00 CENTS

TO THE ORDER OF

MANRESA RETREAT HOUSE

THE ROMAN CATHOLIC ARCHBISHOP
OF LOS ANGELES

REDACTED

REDACTED

4959

Foundation House, Rt. 4
Jemez Springs, NM 87025
July 20, 1987

Rev. Msgr. Thomas Curry
THE CHANCERY OFFICE
1531 W. Ninth Street
Los Angeles, CA 90015

Dear Tom:

I am enclosing copies of the most recent billing I have received from my attorney, REDACTED for the amount of [redacted].

To assist me in making this payment, I would be most grateful if you could facilitate a loan for this amount, payable to me, similar to that which I received earlier from the Archdiocese.

If you need additional information, please contact me.

Thank you very much for your assistance in this matter.

Fraternally in Christ,

Gary

Rev. Gerald B. Fessard

Enclosures

4954

CONFIDENTIAL

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194

REDACTED

July 29, 1987

Rev. Gerald B. Fessard
Foundation House
Route 4
Jemez Springs, New Mexico 87025

Re: LOAN

Dear Father Fessard:

Enclosed please find a Promissory Note that needs to be signed by you and returned to us in regard to your requested loan for $[redacted]. As you can read, the interest will be at six percent (6%) per year from July 28, 1987 until paid. We are also enclosing a check in the amount of $[redacted].

If you have any questions, please do not hesitate to contact me.

Yours very truly,

REDACTED

REDACTED

REDACTED

Enclosure

cc: Msgr. Thomas Curry ✓

4952

The Roman Catholic Archbishop Of Los Angeles
A Corporation Sole
1531 West Ninth Street
Los Angeles, California 90015

$[redacted]

Los Angeles, California July 28, 1987

~~ON DEMAND~~ after date, for value received, Rev. Gerald B. Fessard

at Los Angeles, California, promises to pay to THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES, a corporation sole, at the Chancery Office Los Angeles, California, the sum of:

[redacted] ~~80/100 ONLY~~ XXXXXXXXXXXXXXXXXXXXXXX Dollars

together with interest, payable quarterly, at the rate of 6 per cent per annum from date until paid.

Address 1531 W. 9th St. Los Angeles, CA 90015

Telephone 213-251-3200

Rev. Gerald B. Fessard

THE ROMAN CATHOLIC ARCHBISHOP
OF LOS ANGELES
(A CORPORATION SOLE)
LOS ANGELES, CA 90015

12833

July 28, 1987

16-66/1220

PAY TO THE ORDER OF Rev. Gerald B. Fessard $ [redacted]

ARCHDIOCESE OF LOS ANGELES [redacted] DOLLARS

BANK OF AMERICA NT&SA
LOS ANGELES MAIN OFFICE
525 SOUTH FLOWER STREET
P. O. BOX 71499, ARCO PLAZA
LOS ANGELES, CA 90071

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES

REDACTED REDACTED

FOR

REDACTED

TDS

PRIME FOCUS

4953

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

August 6, 1987

Most Rev. Roger M. Mahoney, D.D.
Archbishop of Los Angeles
1531 West 9th Street
Los Angeles, California 90015

Dear Archbishop Mahoney:

I have enclosed the report on the evaluation that was recently done here for Rev. Gerald Fessard.

Gary has entered the program in a spirit of honesty and openness. he was very truthful with the entire group of men during the autobiographies about his life and the reason why he is participating in this program. Gary's motivation is positive and, because of this, I believe that he can profit greatly from this experience.

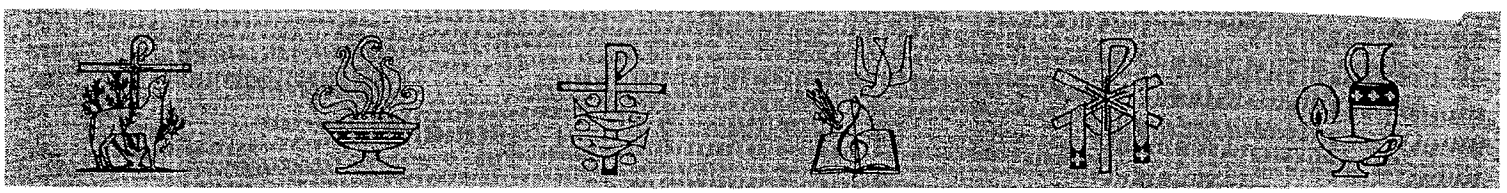
If you have any questions or observations concerning this report please let me know. I hope that this information is helpful to you.

Sincerely,

William D. Perri, S

(Rev.) William D. Perri, s.P.
Director: Foundation House

4951



REFERRAL MEMORANDUM FROM ARCHBISHOP ROGER MAHONY

Date: 8-11-87

TO: Msgr. Carey

( ) Please review, then SEE me
( ) Please review, then RETURN to me
( ) Please review, then SEND me your COMMENTS
(X) Please review, then FILE

( ) Please handle this matter entirely
( ) Please answer; send copy of letter to me
( ) Please write a reply for my signature
( ) For your information

( ) Please XEROX and send copy/copies to: _____

( ) original to file
( ) original back to me

REMARKS: Looks promising.

Thanks!

[redacted]

4950

F COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
REDACTED

August 11, 1987

Reverend Gerald B. Fessard
Servants of the Paraclete
Jemez Springs, New Mexico 87025

Dear Gary:

Enclosed is your reimbursement for travel.

I do hope you are progressing well, and I look forward to hearing from you.

With warmest regards and best wishes,

Sincerely yours in Christ,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

Enclosure

4948

VENDOR 20131 REV. GERALD B. FESSARD

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES
(A CORPORATION SOLE)

1531 West Ninth Street
Los Angeles, CA 90015-1J

A 11446

DATE	INVOICE NO.	DESCRIPTION	AMOUNT
7/23/87	REIMB.	MOVING AND TRANF. EXP. TO NEW MEXICO	[redacted]
		TOTAL –	[redacted]

COPY

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES
(A CORPORATION SOLE)
Los Angeles, California 90015-1194

16-66
1220

A 11446

OLYMPIC-UNION BRANCH
BANK OF AMERICA
LOS ANGELES, CALIFORNIA

CHECK NO.	11446
DATE	AMOUNT
8/06/87	[redacted]07

PAY:

TO THE ORDER OF

********[redacted] AND 07 CENTS

REV. GERALD B. FESSARD

THE ROMAN CATHOLIC ARCHBISHOP
OF ~~LOS~~ ANGELES

REDACTED

REDACTED

4949

REFERRAL MEMORANDUM FROM ARCHBISHOP ROGER MAHONY

Date: 8-21-87

TO: Msgr. Carey

( ) Please review, then SEE me
( ) Please review, then RETURN to me
( ) Please review, then SEND me your COMMENTS
(X) Please review, then FILE

( ) Please handle this matter entirely
( ) Please answer; send copy of letter to me
( ) Please write a reply for my signature
( ) For your information

( ) Please XEROX and send copy/copies to: _____

( ) original to file
( ) original back to me

REMARKS: Promising.

Thanks!

4941

REV. GERALD B. FESSARD
MEDICAL & MISCELLANEOUS EXPENSES
AUGUST 23, 1987

Medical Expenses (Not Covered by Health Plan)
(Insurance EOB's Enclosed)

REDACTED

Total Medical

Telephone Expenses (Legal)

Total Expenses Submitted

Thank you.

Gerald B. Fessard

(Rev.) Gerald B. Fessard
Foundation House, Rt. 4
Jemez Springs, NM 87025

4940

Check request 5/[illegible]/87

Foundation House, Rt. 4
Jemez Springs, NM 87025
August 23, 1987

Dear Tom,

Thank you very much for your letter with reimbursement for my moving expenses. It was good to hear from you, and I hope that these summer months have not been too hectic for you. I would imagine there is pressure on you during these assignment times. I hope you are feeling supported by the presbyterate, as you undertake a very difficult and often thankless job. You have my prayers.

I think the program is helping me get to know myself better, as we reach our sixth week. Progress is difficult to measure, but I think the cumulative effect will be a greater sense of self-acceptance, a willingness to face my weaknesses and shortcomings and to accept them as part of being human. I am really praying that, as I come to know my own failings and see them as part of me, accepted and loved nonetheless by God, that I will gain a greater sense of compassion for others. Week before last, we had a very good and helpful workshop on "Brokenness in Ministry" by REDACTED She really touched and helped us, myself especially with the need to embrace the grieving process which has come my way with the loss of my teaching ministry in the seminary and the whole ensuing uprooting from people and things familiar. Among other things, REDACTED is involved in the continuing education of priests program at Notre Dame. She would, I think, be very good in a presentation to priests on self-acceptance, should you need such a presentation in future.

As much as I am trying to involve myself completely in the program here, I do feel lonesome for (a) home, friends, and ministry and look forward to returning. Sundays are especially hard (e.g. today), with the lack of parish community to interact with. I am recalling fondly the months at St. Martin of Tours, which were so pleasant and affirming. I have received letters from several priests, including REDACTED and REDACTED (only REDACTED knows the whole situation), and several of the Sisters in the Catholic Schools Department. Sister REDACTED REDACTED and Sister REDACTED have been especially supportive. It's so good to hear from "the folks back home." I will, of course, miss being around during the Pope's visit, but I guess the Lord had another "once-in-a-lifetime experience" in mind for me!

Pat Ziemann phoned not too long ago and said he plans to come through here in November, on his way back from the Bishops' meeting in Washington. It will be good to see him. I also hope you will be able to visit, if time permits. I am looking forward to discussing with you a plan for the future, as time goes on. I received a very nice letter from REDACTED shortly after I arrived here; it was good to hear from him.

I ran into [redacted] in Albuquerque at a movie recently, though I didn't get to visit with him. I understand he is at a parish nearby. Don't know what his situation is w.r.t. returning to minister in L.A.

Am enclosing with this some more recent medical and phone expenses I incurred in L.A. before I left there, for which I would appreciate reimbursement. After a visit to the eye doctor here next week, I hope

4938

and expect this will be my last request for money for some time. I'm sure you do too!

Once again, thank you so much for your support and that of the Archdiocese. Thanks, too, for arranging the Tidings subscription for me. I (and many others here) appreciate getting it.

In case you need to call, the residents' phone numbers here are REDACTED The Switchboard number is on answering service in the evenings, so it is best to use these numbers to reach us. Hope to hear from you when you have a chance. Take care, and God bless you.

Fraternally in the Lord,

Gary

4939

F

COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
REDACTED

September 4, 1987

Rev. Gerald B. Fessard
Servants of the Paraclete
Jemez Springs, New Mexico 87025

Dear Gary:

Many thanks for your letter of August 23. I realize the difficulties and the hard work you face, but hope the experience will be worth it all. At a later time, the program invites me to attend, and I plan to do so.

I will indeed be happy, at that time, to discuss your future with you. I also talked to Pat Ziemann, and he, too, told me he plans to visit you on his way back from the Bishops' meeting.

Everyone here seems preoccupied with the Pope's visit. Fortunately, I don't have much to do, apart from attending the events themselves.

You have my kindest thoughts and prayers, Gary. The weeks race on, and I hope they bring you only good things.

Sincerely yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

REDACTED

254520

F

COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
REDACTED

October 2, 1987

Rev. Gerald B. Fessard
Servants of the Paraclete
Jemez Springs
New Mexico 87025

Dear Gary:

I have called a number of times and realize it is not always easy to connect that way. I will keep trying, but meantime will communicate by letter.

REDACTED discussed the enclosed letter with me, and she and I agree that the amount does not warrant the procedure of setting up a loan. Therefore, I do hope you will be able to pay this yourself. She mentioned that REDACTED would undoubtedly be willing to accept two monthly installments.

It was good to talk to you recently, and I very much appreciated the news from Jemez Springs. It is causing ripples around the country.

I will keep calling and also look forward very much to visiting you there.

With warmest personal regards,

Sincerely yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

Enclosure

REDACTED

bcc:

4927

COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
(213) 251-3284

October 30, 1987

Rev. Gerald B. Fessard
Servants of the Paraclete
Jemez Springs
New Mexico 87025

Dear Gary:

I am planning to visit Jemez Springs in November--to arrive there on Wednesday, November 18, around 5-6 P.M.

If it would be convenient for you, I would be most happy to bring you to dinner that evening. Dr. REDACTED will set up some meetings on Thursday, and I will return to Los Angeles Thursday evening.

Pat Ziemann is currently planning to visit there beginning the evening of Thursday, November 19.

I look forward very much to seeing you. Meantime, if you would like to talk to me ahead of time, please do not hesitate to call. My home number is REDACTED

Fraternally yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

REDACTED

254519

6

MEMORANDUM

November 1, 1987

To: Archbishop Mahony

From: Msgr. Thomas Curry

Re: Forthcoming Visit to Jemez Springs

At the invitation of the Program, I plan to visit Gary Fessard and Mike Wempe on November 19. Both of them know I will be visiting them.

Attached is an earlier report for each of them.

Gary Fessard: Gary seems to have devoted himself completely to the program and to have made considerable progress. I don't see much difficulty in re-assigning him to ministry. I checked with REDACTED REDACTED and he reports that the members of the Matrimonial Tribunal are very positive about the possibility of Gary being assigned REDACTED there. Another possibility is the chaplaincy at Cedars Sinai. REDACTED has not been replaced there, and this position is a sensitive ecumenical one in addition to the actual chaplaincy.

I have not discussed any possibilities with Gary.

[redacted]

4926

Foundation House, Rt. 4
Jemez Springs, NM 87025
November 3, 1987

Rev. Msgr. Thomas Curry
THE CHANCERY OFFICE
1531 West Ninth Street
Los Angeles, CA 90015

Dear Tom:

I received your recent letter, explaining REDACTED and your decision about my latest loan request. I was short of funds at the time, which prompted the request, but since then I have received my All Souls' stipend, and so will be able to manage. I can understand your point of view on the matter; indeed, we were all looking at it as a relatively small amount, but came to different conclusions.

I'm sorry you have had trouble reaching me; I assume you have tried calling in the evening. All the residents are free then, so the phones are usually tied up. After 9 P.M. (your time) is the period you are most likely to be successful.

I believe that one or other member of the staff here have contacted you regarding a visit, and I hope the arrangements are going smoothly. Pat Ziemann called and said he thought you might be planning to come on November 19th, the date he was planning to fly through (in the evening). I leave it to the two of you to work out your preferences. From Mike's and my point of view, you are both most welcome, assuming that we can conduct the necessary meetings with you and staff during the day on the 19th. As I told Pat, I will be happy to come in and meet you at the airport, if you will let me know your arrival time. Since Pat had planned to arrive about 7:20 P.M. that evening, perhaps we could all go in, meet him and have dinner in Albuquerque.

I am enclosing recent insurance EOB's for my recent visits to the opthalmologist. The insurance payments leave a balance of $36.00, which I have paid and would appreciate being reimbursed by the Archdiocese. Any other doctor bills which I incur will probably be forwarded by the Servants of the Paraclete to you, as part of their bill.

Things continue to go very well here as I try to reflect on, develop and consolidate the progress I have made. The program has been most beneficial, a real blessing for me! I am looking forward to seeing you and making plans for my return to Los Angeles.

Please let me know how I can help re your travel plans.

Fraternally in Christ,

Gary

Gary Fessard

4925

REFERRAL MEMORANDUM FROM ARCHBISHOP ROGER MAHONY

Date: 11-5-87

TO: Msgr. Curry

( ) Please review, then SEE me
( ) Please review, then RETURN to me
( ) Please review, then SEND me your COMMENTS
(X) Please review, then FILE

( ) Please handle this matter entirely
( ) Please answer; send copy of letter to me
( ) Please write a reply for my signature
( ) For your information

( ) Please XEROX and send copy/copies to: _____

( ) original to file
( ) original back to me

REMARKS: Looks promising.

Thanks!

4914

REV. GARY FESSARD

November 19, 1987

Met at Jemez Springs with REDACTED , REDACTED Bill Perri. All of them were in agreement that Gary had made unusual progress and had addressed himself very seriously to the program. His progress was primarily in the area of openness, flexibility, of dealing with the many issues he had suppressed and rationalized.

I stated the Archdiocese is committed to having him back in ministry, and that we would have an agreement that there would be no ministry with minors and no physical contact with them apart from shaking hands. Also, he would not be alone with minors.

I let Gary know the Matrimonial Tribunal would be most interested in having him work there. He was interested, but on a part-time basis, and the prospect of going away to study does not appeal to him at this time. He is most interested in living at St. Martin of Tours and would be very open to helping out at Mount St. Mary's. He is interested in campus ministry.

We discussed continuing therapy and I raised the possibility of REDACTED We agreed that he would go to a therapist on an experimental basis. He will continue to go to spiritual direction with REDACTED , and we will attempt to form a support group of the men here who have been in the program at Jemez Springs. I will continue to work with Gary. He will be back for Thanksgiving.

I brought up the issue of drinking and both he and REDACTED had discussed this. Gary feels he has dealt with this, but I asked that it be a continuing concern and something he would work on with his therapist.

"DISCHARGE CONFERENCE" - TOPICS FOR DISCUSSION

GARY FESSARD
November 19, 1987

I. Review of Therapeutic Issues

A. Repression of Feelings
B. Lack of Intimacy, Fear of Self-Disclosure
C. Poor Handling of Stress, Rejection
D. Sexuality and Sexual Behavior

1. Repression
2. Denial
3. Situational Character: sexual acting out "under cover of darkness," literal and psychological

II. Efforts at "re-forming" and self-renewal

A. Gains in self-disclosure, "facing the issues," recognizing sexuality and accepting it.

B. Allowing myself to "own" my feelings, taking risks, being vulnerable

C. Recognizing the harm I have done to youth, myself, the Church and recognizing and beginning to deal with the work stresses, hurt feelings, rejection, which has been a pattern or prelude to my acting out.

D. Honesty in individual and group therapy, beginning to take personal relationships with my sister and close friends to a deeper level of honesty and self-disclosure.

E. Accepting myself for who I am, not just for what I am able to do.

III. Reflections on What Is Important to Me Now & for the Immediate Future

A. Maintaining a sense of personal well-being and self-worth based on full, non-judging self-knowledge and acceptance.

B. Ability to recognize and embrace the "God within me," my true self.

C. A healthy acceptance and awareness of my sexuality, and the appropriate expression of who I am as a sexual person.

D. Return to priestly ministry in a healthy, liberating and fruitful environment.

E. Affirming, restful living arrangements for personal renewal, hopefully with the prayerful and recreational companionship of an accepting, understanding pastor and brother priests.

F. A regular, effective and challenging support group and spiritual director.

G. A practical, "vicarious" way of making amends for the past e.g. by almsgiving or support of a needy young person's education, etc.

IV. Some Suggested Practical Steps to Insure My Own Well-being and Safety, and the Needs of the Archdiocese

DAILY PRAYER + MEDITATION PERIOD

A. Regular (monthly) meetings with a Spiritual Director.
B. Obtaining and having regular (monthly) meetings with a suitable therapist.
C. Formation of and regular (e.g. bi-monthly) meetings with a priest support group.
D. Maintaining contact with and accountability to archdiocesan personnel, as well as my probation officer.
E. Maintaining a regular exercise program, with suitable time allowed for this almost daily.
F. Regular contact with close personal adult friends.
G. Observance of suitable restrictions on contact with minors, to include the following:

1. No vacations or overnight trips with minors.

2. No formal or regular work with youth groups.

3. No minors in my living quarters in the rectory.

4. No staying in homes with minors without parents present.

5. No drinking of alcohol in the presence of minors.

6. No regular counseling of minors.

V. Some Questions & Expectations regarding Assignment and Living Arrangements

A. Residence in a parish whose pastor I know well and would feel comfortable in being accountable to (e.g. St. Martin of Tours)

B. Location conducive to regular physical exercise program, e.g. west side of Los Angeles

MEMORANDUM

November 22, 1987

To: Archbishop Mahony

From: Msgr. Thomas Curry

Re: Father Gary Fessard

I met with Gary and three of the staff members at Foundation House for an extended session on Thursday, November 19. The staff reported that he had taken the Program very seriously and that he had progressed, perhaps to an unusual degree. His therapist, Dr. Bob Goodkind, was most positive about how Gary had opened up and dealt with the repressions and rationalizations that were the principal source of his trouble.

I explained that in coming back to ministry in the Archdiocese he would not be in ministry to minors, would have to agree not to be alone with them, and would have no physical contact with them apart from shaking hands.

I had checked out the possibility of his working in the Matrimonial Tribunal, and Frank Wallace reported the staff there would be enthusiastic about his being appointed there. Gary is open to working in the Tribunal, but would prefer to do so on a part-time basis for some time at least.

Before going to Queen of Angels, he lived at St. Martin of Tours in Brentwood, and he would like to go back there. That proposal has several advantages. Larry O'Leary knows Gary's story and is supportive of him. Larry has no Associate and Gary would be of help, even though he could not cover the entire spectrum of parish responsibilities. In addition, the sisters at Mount St. Mary's have been pleading for a priest to give them regular help with liturgy for the Community, and I would very much like to accommodate them. He suggested that if bishop Ward would want him as his Secretary, he, Gary, would be amenable to that.

I raised the issue of drinking with him both in the session and later privately. The incident at the Seminary took place after he had attended the Friendly Sons of St. Patrick dinner. (This event I am told includes much drinking, although I have no desire to verify that personally.) I made clear my belief that drinking probably helped break down his inhibitions and led him into trouble. He had discussed the matter with his therapist and felt he had dealt with it. However, I asked him to continue to discuss this matter and to make it a continuing concern. There is no reason to believe Gary has a drinking problem, but alcohol is a factor in his life that could pose danger for him in the future.

He will continue in therapy after his return, will attend spiritual direction, and will attend a support group if that is available. I will encourage the priests who have attended Jemez Springs to form such a group.

C O N F I D E N T I A L

Foundation House, Rt. 4
Jemez Springs, NM 87025
November 22, 1987

Rev. Msgr. Thomas Curry
THE CHANCERY OFFICE
1531 W. Ninth Street
Los Angeles, CA 90015

Dear Tom:

I want to thank you for the time you took last week to come to Jemez Springs, for the support and encouragement you offered in our meetings with staff, and the hope you have constantly offered in welcoming me back to ministry in Los Angeles. It was great to see you, and Mike and I also very much enjoyed the opportunities we had to socialize with you and show you at least a few of the more notable sights of northern New Mexico.

I am taking this opportunity, at your suggestion, to enclose a copy of the notes which I had made in preparation for our conference with the staff on Thursday the 19th. It may be helpful to have these and to add them to my confidential file.

Once again, I am grateful and pleased with the progress I have been able to make in the program here. I hope it has come through that I have complete confidence that the events which led to my coming here will not be repeated. I am likewise aware of the serious consequences which a repetition of these events would have for me and for the Church. I am grateful that these matters are a part of the past. Naturally, I am ready and willing to work with you in taking the necessary precautions to protect myself and the Archdiocese in the future.

I will contact you at home during the Thanksgiving weekend and look forward to continuing our discussion of a suitable assignment.

On an unrelated matter, I would appreciate it if you could check to see that the name of Ted Llanos is included on my recently submitted list of priests wishing to participate in the Rome-Holy Land trip in the spring of 1989. Thank you.

I wish you a happy Thanksgiving and I look forward to being in touch with you soon. Again, my thanks for your positive support in what I believe was a most fruitful and hopeful "discharge conference."

Fraternally in Christ,

Gary

Rev. Gerald B. Fessard

Enclosure

4909

FOR CONFIDENTIAL FILE ON REV. GERALD B. FESSARD

December 1, 1987:

REDACTED REDACTED had talked to the principal, and she had told REDACTED that one of the teachers there was aware of the secual nature of Gary's problem.

REDACTED talked to Gary and told him of his concerns, and Gary talked to the principal. On reflection, REDACTED thinks it would not work out. The people there can be brutal, and they might well tear him apart.

REDACTED does not mind his coming there for the weekend, but he should keep a very low profile. He does not wish him to come there on a long-term basis, however.

MEMORANDUM

CONFIDENTIAL

DATE: December 7, 1987

FROM: Msgr. Curry

TO: C File - Gerald B. Fessard

RE:

Met with Gary today. Also had REDACTED come over. Matrimonial Tribunal will provide a car and gas card, and Gary and REDACTED will make a determination on a starting date. This will depend on REDACTED choice to some extent. Gary will be at REDACTED home REDACTED

His REDACTED 's number is REDACTED
He will stay until Christmas with REDACTED . I will continue to look for a residence for Gary. We discussed helping at the Mount and he seems open to that.

[redacted]

4907

COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
(213) 251-3284

December 10, 1987

Rev. Gerald B. Fessard
St. Martin of Tours Church
11967 Sunset Blvd.
Los Angeles, CA 90048

Dear Gary:

Recently I was referred to a REDACTED
a psychiatrist who practices in REDACTED He is very experienced in counseling priests and conducts a priests' support group in San Bernardino.

He would be open to coming to Los Angeles for the same purpose, and since the aftercare program at REDACTED REDACTED does not seem to be operative, I would very much like to get such a group into operation here.

Could you give me a call at your convenience and let me know your thoughts on this?

I look forward to hearing from you soon.

Sincerely yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

4906

To C

Date 12/21/87 Time

WHILE YOU WERE OUT

M REDACTED

of Probation Department

Phone (REDACTED REDACTED

Area Code Number Extension

TELEPHONED	☑
CALLED TO SEE YOU	☐
WANTS TO SEE YOU	☐
RETURNED YOUR CALL	☐
PLEASE RETURN CALL	☑
WILL CALL AGAIN	☐
URGENT	☐

Message re Gerald Jessard

REDACTED

Operator

FORM 91

associated stationers & printers (213) 622-4162 749-6940

4904

ARCHDIOCESE OF LOS ANGELES
OFFICE OF VICAR FOR CLERGY
REDACTED

12/21/87

Spoke with Asbestos Officer (attached). Court orders that Gary cannot be alone with minors. Agreed that he would not have confessions and that Officer could see a copy of the report.

4905

MEMORANDUM

DATE: December 30, 1987

CONFIDENTIAL

FROM: Monsignor Curry

TO: Archbishop Mahony

RE: For Your Information

Attached for your information.

As soon as we settle on St. Timothy's as a residence, I will draw up an appointment for Gary. It appears that according to the terms of his probation, he will not be allowed to hear Confessions, and I hope that won't pose a stumbling block.

Please proceed. Thanks!

+ RMM

12-30-87

[redacted]

4894

REDACTED

STATEMENT

FATHER GERALD FESSARD
REDACTED

PLEASE NOTE: As of March 1, 1988, a Service Charge of 1% per month will be applied to all balances which are in arrears sixty days or more.

RE: adv PEOPLE OF STATE OF CALIFORNIA
OUR FILE NO.: 1164.01
ATTORNEY: BON

MARCH 04, 1988

	BALANCE DUE FROM PREVIOUS STATEMENT		500.00
	LESS PAYMENT(S) . . . . . <		50.00>
	BALANCE FORWARD		450.00
	FOR PROFESSIONAL SERVICES RENDERED THROUGH 2/29/88		
2/12/88	REDACTED	3.50	350.00
2/16/88		3.75	375.00
2/18/88		.25	25.00
	FEE ADJUSTMENT:	< $ 221.00>	
	ATTORNEY FEES:	7.50HRS	529.00

----------TIME AND FEE SUMMARY----------

	RATE	HOURS	FEES
REDACTED	100.00	7.50	750.00

COSTS ADVANCED:		
PHOTOCOPYING AND BINDING CHARGES	11.00	
TRAVEL-MILEAGE	10.00	
		21.00
SUB-TOTAL OF CURRENT PERIOD FEES AND COSTS . . .	550.00	
TOTAL ATTORNEY FEES AND COSTS DUE:		1000.00

TAX I.D. NUMBER : REDACTED

4893

MEMORANDUM

To: Monsignor Curry

From: Father Fessard

Subject: Legal Assistance - Loan Request [CONFIDENTIAL]

Date: March 11, 1988

The enclosed billing copy details my current financial obligations to REDACTED for their legal representation. The major portion of this represents the cost of responding to the recent arrest warrant mistakenly issued, about which I spoke to you, and my subsequent required court appearance on February 16.

Because of these significant costs, I am requesting additional financial assistance from the Archdiocese, amounting to an additional loan amount of [redacted].00. I would appreciate your help on this, as I note they are instituting a 1% late charge on unpaid bills.

These fees are particularly crippling, coming as they do on top of the [redacted] cost I incurred to have my personal effects moved from San Fernando to St. Timothy's (my third move in a year and one-half). I don't know if there is any prospect of receiving at least partial reimbursement for this moving cost; if so, I will be happy to forward the bill. Thank you for this additional consideration.

Just to let you know in advance, on February 16 I was instructed to appear again in court on August 15, 1988, the date when my next probationary "progress report" is due. At that time, I expect to need the presence of my attorney.

Thank you for your assistance, Tom, in these continually distressing matters.

ST. TIMOTHY'S CHURCH
10425 W. Pico Blvd.
Los Angeles, CA 90064

April 2, 1988

Most. Reverend Roger M. Mahony, D.D.
114 E. Second Street
Los Angeles, CA 90012

Dear Archbishop Mahony,

It has been one year since I met with you to discuss the circumstances of my leaving the minor seminary. As I have been reflecting during this Holy Week, I am struck by the mysterious plan of God which has unfolded in my life since the last painful, desolate Holy Week I spent last April at REDACTED I just wanted to write today to share with you my own deep appreciation of the many gifts God has blessed me with during this year, the challenge, and the growth which I believe he has accomplished in my life and ministry. I also want to thank you once again for your compassion, understanding and support, and particularly for your warm welcome to me on my return to the Archdiocese. I have experienced very deeply the meaning and the beauty of our priestly fraternity through you and so many of our brother priests. Your kindness, and theirs, has been remarkable. I'm sure you are aware far more keenly than I what a wonderful presbyterate we have in Los Angeles, as you encounter it intensely in so many ways each day. I simply want to say that, in addition to what I believe has been a great deal of personal growth in my self-understanding and acceptance, I have also come to thank God even more for the gift of priesthood, which I share with you and our fellow priests, men whom in many ways I have underestimated and undervalued and sometimes misjudged.

The months since I have returned have been good; it's great to be home again. I am getting to know and enjoy the work of the Tribunal, and I hope gradually to make a real contribution to this important work. Bishop Ward and Father REDACTED have been most welcoming at St. Timothy's.

I am also working hard to take care of my personal spiritual and psychological needs, and I believe I am coming to function more realistically and to look on life in a more healthy way. I learned a great deal about myself in New Mexico, came to accept myself and especially my weaknesses in New Mexico, and I am trying to build on these insights in my therapy and spiritual direction now. The program conducted by the Servants of the Paraclete is most worthwhile; they were a real grace for me, to be sure.

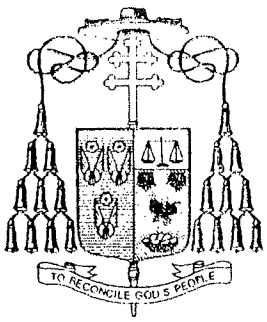
One of the staff from Jemez Springs will visit me in May for "aftercare conferences." I will be arranging a meeting for him and Tom Curry, and would be happy to do so for him and yourself, if you are able and interested in meeting with him. I don't know the exact dates of his visit right now, but I will let REDACTED know, if you are so disposed.

I am taking the liberty to enclose an article from a recent issue of NCR, which you may have already read, but which I found very thought-provoking. It touches some of the feelings I have had about priests and priesthood and spoke to me very deeply at this point in my life. My Easter gift to you, as are my prayers and good wishes.

Again, most gratefully,

Gary Fessard

4886



CONFIDENTIAL

1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194

OFFICE OF THE ARCHBISHOP

April 6, 1988

Reverend Gary Fessard
St. Timothy's Church
10425 W. Pico Blvd.
Los Angeles, CA 90064

Dear Gary:

Thank you very much for your letter of April 2nd, and I am grateful to you for taking the time to write to me and to share with me your experience of the past year.

I am very pleased that your own life continues to take shape in such a positive fashion, and I continue to keep you very much in my prayers that the blessings of the Risen Lord will be abundant and generous for you.

I have a great and abiding love for all of the priests of our Archdiocese, and I remain available to be of assistance to you in any way that you might require. Please do not hesitate to call on me.

Assuring you of my prayers and with every best wish, I am

Fraternally yours in Christ,

Most Reverend Roger Mahony
Archbishop of Los Angeles

REDACTED

4885

MEMORANDUM

CONFIDENTIAL

DATE: April 26, 1988

FROM: Monsignor Curry

TO: Archbishop Mahony

RE: Meeting with REDACTED

COPY

I had a long and very productive meeting with REDACTED yesterday. He meets on a monthly basis with six of our priests who have been in therapy at Jemez Springs. He appears to be getting along very well with them, and I have heard good reports from them about him. The following are some short comments on each of the priests:

REDACTED REDACTED
REDACTED

REDACTED
REDACTED

REDACTED

REDACTED

[illegible]

Gary Fessard: Gary is doing well and working hard. REDACTEDREDACTED is aware that I have confronted Gary about some of his requests, and that I will continue to work with him on his drinking.

RELEASE OF CONFIDENTIAL INFORMATION

To: The Professional Staffs of: Foundation House
Servants of the Paraclete
Jemez Springs, New Mexico 87025
(505) 829-3586

Ima. P.72

I hereby authorize you to provide:

MOST REV. ROGER MAHONY, D.D

~~REV. MSGR. THOMAS CURRY~~

1531 W. NINTH ST.

LOS ANGELES, CA 90015

with a complete report of my Follow-up Workshop Week spent with the Servants of the Paraclete. The recipients of this material are also duly notified that once these documents have been read, THEY ARE TO BE DESTROYED OR RETURNED TO FR. LIAM HOARE, s.p., WHO WILL SEE TO THEIR DISPOSAL. This policy is mandated by present legal advisement and for the protection of the Individual, Bishop/Superior, Dioceses/Community, and our own Program.

Gerald B Dessard
(Signature)

REDACTED

(Signature of Witness)

June 8, 1988
(Date)

4883

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

June 30, 1988

THE MOST REVEREND ROGER MAHONY, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
LOS ANGELES, CA 90015

Your Excellency,

The Director of Foundation House, The Very Reverend Liam J. Hoare, s.P., in his capacity as Servant General of the Servants of the Paraclete, is presently conducting Visitation of the English Houses of the Community. On his behalf, I would like to express our gratitude for allowing FATHER GERALD B. FESSARD to take part in the AFTERCARE/FOLLOW-UP PROGRAM.

Enclosed you will find a copy of the Reports of each of the Therapists. I feel that they are rather self-evident and speak to the issues in question. Fr. Liam met with each man personally and will be available for any further inquiries as of July 11th.

Once more, we ask you to PLEASE DESTROY THESE PAGES AND ANY OTHER MATERIAL YOU HAVE RECEIVED FROM US. This is stated for your own and our legal protection.

Again, our thanks for your interest and consideration, and, for allowing us a part in the recovery process. The men in attendance expressed their satifaction, and we feel that the renewed contact with fellow members is a needed source of evaluation and encouragement. Wishing you all the best for the summer, with kind and prayerful regards, I remain

Sincerely for Christ and His priests,

Neil R. Saller, T.O.R.

(Rev.) Neil R. Saller, T.O.R., J.U.L.
Director of Villa Louis Martin
Acting-Director of Foundation House

4880

FOLLOW-UP WORKSHOP REPORT: Revered Gerald Fessard

REDACTED

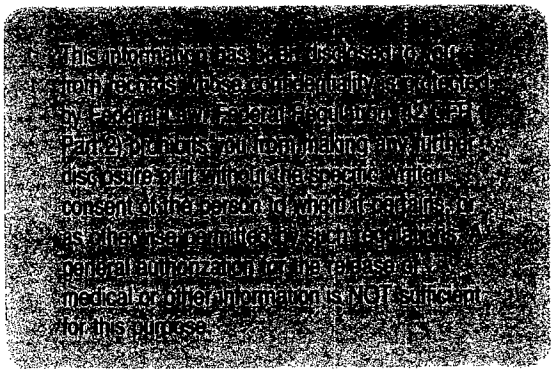
REDACTED In the latter part of our session we talked about his plans for the future and the possibility of his going to Catholic University to pursue studies in Canon Law. Gary worked very hard during his module and I see him continuing to make progress both spiritually and psychologically. I see him as a fine priest who will be a real asset to the Archdiocese of Los Angeles. sd

REDACTED

PSYCHOLOGICAL 06/08/88 [redacted]: [redacted] has made real peace even since the follow-up visit I made to Los Angeles. On the outside things have not gone that well for Gary. His living arrangements have been less than ideal. It's taken him sometime to adjust to the kind of work that he is doing which is not exactly what he wanted to be doing. There was some tension between himself and the diocesan office about expectations for him. His probation officer was insistant that he not hear Confessions, something that was important to Gary and so he's been unable to do that. There have been a number of things that have not gone quite the way Gary wanted them to. At the time of the Fall visit

he was still feeling some of the pressure from them although not being a particularly bad sport about it. At this point he seems much more resigned to some of the difficult things and working very hard with some very real success to make the best of the situation. He has decided pretty much to pursue the training in Canon Law and seems prepared to really devote himself to this kind of work. Although the living situation remains less than ideal, however, it helps to keep in focus the necessity for other relationships to fulfill those kinds of needs. He is hoping to get the prohibition on his hearing Confessions lifted, although that will remain to be seen not until the end of this summer when he appears again before the judge. He continues in individual therapy and feels very positive about that experience. Likewise he's in the every-other-week group therapy REDACTED
REDACTED

REDACTED



CONFIDENTIAL

MEMORANDUM

TO: Monsignor Curry

FROM: Father Fessard

SUBJECT: Letter of Recommendation

DATE: July 20, 1988

At your request, I am sending information relative to the letter of recommendation which you offered to supply for my upcoming court appearance scheduled for August 15.

Your letter should be directed to:

REDACTED
Judge
Los Angeles Municipal Court
Division 82
429 Bauchet Street
Los Angeles, CA 90012

re: Case # 87M14440

My request to the court will be to modify the terms of my probation to allow me to celebrate the sacrament of Penance as needed in the parish church where I am in residence. This modification is necessary inasmuch as my probation officer has interpreted the court order to mean that I cannot be in a confessional room which a minor might conceivably enter. I would be available to hear confessions on weekends for the general congregation, in which there are very few minors, it being a small parish consisting mainly of single adults and older couples and families. I would not hear confessions of groups consisting primarily of children or teenagers.

Your letter might note that you are aware that I am requesting this modification and permission. You may wish to cite any of the following reasons for the request, as an official of the Archdiocese:

1. The court's granting this request would significantly aid the priests on the parish staff in meeting the spiritual needs of the congregation.

2. While the purpose of the restriction has been to limit my access to minors in an unsupervised setting, my hearing confessions would not be primarily those of minors; the vast majority of weekend confessions are those of adults.

3. The physical construction of the confessionals restrict any kind of physical contact.

4. The entrances to the confessionals are clearly visible from the body of the church building and therefore could be considered a public setting.

5. I have made significant progress in therapy. My therapists have stated that they consider me no risk to minors, particularly in a pastoral or sacramental context. No inappropriate, illegal or compromising behavior has ever occurred in these contexts.

6. Celebrating the sacrament of Penance is a most important aspect of my ministry as a priest. It is a source of fulfillment personally as well as pastoral service, and I very much miss the lack of opportunity to minister in this way. I believe my receiving this permission would assist me significantly in my rehabilitation and return to healthy, effective ministry and human relationships.

These are simply some ideas that have occurred to me in the course of preparing my appeal, Tom. Please do not feel obligated to use them. There may be other things you wish to say or approaches you would use, and I am confident whatever you contribute will be most helpful. If you have questions or need additional information, please let me know.

Please return the letter to me. I expect to be meeting with my attorney shortly after the first of August, and will present this and other documentary material to him at that time.

Thank you very much for your help on this. Have a great, restful vacation!

COPY

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

OFFICE OF VICAR FOR CLERGY
(213) 251-3284

July 29, 1988

REDACTED
Judge
Los Angeles Municipal Court
Division 82
429 Bauchet Street
Los Angeles, CA 90012

RE: CASE # 87M14440

Dear JudgeREDACTED

This is a request that Reverend Gerald Fessard be allowed to hear Confessions in the parish to which he is assigned. My understanding is that the terms of his Probation prohibit him from hearing such Confessions because his doing so could possibly put him in a situation where he would be alone with minors.

Since Father Fessard is functioning as a priest, and since the normal duties of a priest involve his hearing Confessions, may I respectfully ask that you consider the following factors and possibly modify the terms of the Probation in order to permit him to hear Confessions:

Because he works in an office during the week and ministers in the parish only on weekends, the times when Father Fessard would be scheduled for Confessions are those when only adults would normally be coming into the Church. While the confessionals at the present time do allow for face-to-face confession, by which a person may choose to be visible to the priest, the nature of the space would not be at all conducible to inappropriate contact of any kind. Usually, there are other people present in the Church who would be aware of anything inappropriate taking place.

Father Fessard has made significant progress in therapy, and from my contact with the therapist I believe he would not be considered a danger to minors at the present time. Conditions for his being appointed to ministry are that he will not otherwise be alone with a minor or have any contact with minors apart from shaking hands. We are most solicitous that these conditions be observed, as well as the conditions of the Probation.

I am grateful for your consideration of this request and hope you will be able to grant it. However, please be assured that whatever your decision, both Father Fessard and the Archdiocese will accept it and abide by it completely.

Respectfully yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

4877

CONFIDENTIAL

REDACTED

*A PROFESSIONAL CORPORATION

August 29, 1988

COPY

REDACTED
East San Fernando Valley Area Office
Los Angeles County Probation Department
14414 Delano Street
Van Nuys, CA 91401

Re: Gerald B. Fessard
Case No. 87M14440

Dear REDACTED

This is to advise you that at Father Fessard's progress hearing before the Honorable REDACTED of the Los Angeles Municipal Court the terms and conditions of Father Fessard's probation were modified. Judge REDACTED modified Father Fessard's probation to allow him to hear confessions at the times regularly set for confessions at Saint Timothy's parish where Father Fessard is resident. Those confessions have to be heard in a traditional confessional setting with a screen or other barrier between the priest and the parishioner.

Additionally, a progress hearing was set for November 28, 1988 at 8:30 a.m.

Sincerely,

REDACTED

REDACTED

4876

CONFIDENTIAL

MEMORANDUM

TO: Monsignor Curry

FROM: Father Fessard

SUBJECT: Progress Hearing Results

DATE: September 2, 1988

I am enclosing a copy of the letter sent by my attorney to my probation officer following last Monday's hearing. As you can see, the result was most positive.

I am most grateful for your assistance in this matter. It is a great relief and blessing to have it successfully resolved.

For your information, I will be on vacation from September 9 - October 8. Should you need to reach me for any reason, my secretary REDACTED will have phone numbers where I can be contacted (Extension 211).

FY 88-89 #3

STATE OF CALIFORNIA — GEORGE DEUKMEJIAN, *Governor*

COMMISSION ON TEACHER CREDENTIALING
1812 9TH STREET
SACRAMENTO, CA 94244-2700

ALL POINTS BULLETIN

TO: Chief State School Officers, County and District Superintendents of Schools, Deans of Education, and to California Private Schools

REDACTED

FROM:

SUBJECT: Commission Action on Credential Matters

On October 6-7, 1988, the Commission on Teacher Credentialing took the following action:

REDACTED

REDACTED

REDACTED

FESSARD, Gerald Buckley 7-14-46 REDACTED Los Angeles, CA
REVOKED, at his request, pursuant to Education Code Section 44423 and while allegations of unprofessional conduct were pending before the Committee of Credentials, all credentials, life diplomas or other certification documents under the jurisdiction of the Commission on Teacher Credentialing.

REDACTED

FY 88-89 #3

SUSPENSIONS

A complaint, information or indictment having been filed in a court of competent jurisdiction charging the following named persons with having committed a sex offense as specified in Education Code Section 44940, the credentials held by each of them are automatically suspended until the Commission receives notice of Entry of Judgment in the proceedings and until conviction, if any, becomes final or charges are dismissed; or the conviction is reversed on appeal pursuant to Education Code Section 44425:

REDACTED

REINSTATEMENTS

The credentials of the following named persons having been automatically suspended pursuant to Education Code Section 44940 are hereby reinstated as of the date upon which charges against him or her were disposed of by dismissal or acquittal by the court; or upon the date of commencement of compulsory leave of absence, whichever is earlier. These cases are hereby referred to the Committee of Credentials for further consideration:

REDACTED

ALTERED AND STOLEN CREDENTIAL ALERT

The credential document listed below has been stolen and should be rejected as authorization to perform public school service requiring certification. If this credential documents is presented, please call the Commission on Teacher Credentialing immediately at (916) 445-0243; Attention: Professional Standards. **Do not accept copies of credential documents. Always require production of the original document issued by the Commission or State Board of Education.**

REDACTED

COMMISSION ON TEACHER CREDENTIALING
1812 9th Street
Sacramento, CA 95814-7000

BULK RATE
U.S. POSTAGE
PAID
PERMIT #1838
SACRAMENTO, CA

SUPERINTENDENT
OUR LADY QUEEN OF THE ANGELS SEM
P.O. BOX 1071
SAN FERNANDO CA 91341

4869

Gary Fessard December 30, 1988

Spoke to REDACTED today about the question of Garry going to study in Rome. He was most positive. Gray has done remarkably well, has made unusual progress, and is in no danger of acting out.

MEMORANDUM

CONFIDENTIAL

TO: Monsignor Curry

FROM: Father Fessard

SUBJECT: Psychologist Report - CONFIDENTIAL

DATE: May 3, 1989

I would like you to have a copy of the most recent report written by REDACTED in connection with my next probation progress report and court appearance, set for May 30.

My attorney is assisting me in preparing a motion for dismissal of the probation at this time. Two of the three-year probation will have been served as of the end of June, and my attorney and therapist both feel such a request is in order.

I believe you will concur that REDACTED report is most positive and encouraging, and I am happy to share it with you and the Archbishop, should you so desire.

CONFIDENTIAL

file

MEMORANDUM

TO: Monsignor Thomas Curry

FROM: Father Gerald Fessard

SUBJECT: Psychological Counseling: Closure

DATE: July 19, 1989

Just to let you know, Tom, that my final session of individual therapy was held with REDACTED last Monday at REDACTED The last group session in which I will participate is scheduled for Monday, July 31. Both REDACTED and I feel that my progress in therapy has been such that further regular treatment is not needed. I do plan to check in with him and see him at least once next summer, during my time at home.

Based on the Judge's disposition at my last court appearance, I am no longer required to report to the Probation Officer. Presuming no further difficulties, my period of probation will simply run out at the end of June, 1990. At that time my attorney will request expungement of the case from record. The Judge said she would be inclined to look favorably on the request at that time.

This appears to leave fairly clear sailing for Rome. I want to thank you once again for all your encouragement, your patience and helpful support shown in so many ways over the past two years. I am grateful also for the opportunities which you and the Archbishop have provided for me to grow in my ministry. I am very excited about the prospects for study abroad, and certainly hope and intend to make the most of it. Thank you for your generosity. I look forward to keeping in touch.

I will be moving out of St. Timothy's on Tuesday, the 25th. Following a brief visit to my aunt in northern California, you can reach me at Cathedral Chapel till Sunday, August 20, when I will fly to Frankfurt and commence my transalpine expedition to the banks of the Arno (Florence).

God bless you, Tom, in your challenging ministry. Please pray for me, as I will for you.

Gary

4858

F Therapy

MEMORANDUM

DATE: September 15, 1989

CONFIDENTIAL

FROM: Monsignor Thomas Curry

TO: Archbishop Mahony

REDACTED

RE: Progress Report from REDACTED

REDACTED called me today to say that, because of the progress made by several members of the group of priests he was meeting with, they have agreed with him that the group meeting is no longer necessary, but he will continue to see them individually.

Gary Fessard: Before leaving for Rome, Gary had made excellent progress, and REDACTED is very confident of his continued good health.

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

Let's discuss these in person -

+ RMM

9-19-89

4857

Archdiocese of Los Angeles

Office of Vicar for Clergy (213) 251-3284

1531 West Ninth Street

Los Angeles California 90015-1194

DRAFT

AGREEMENT BETWEEN THE ARCHDIOCESE OF LOS ANGELES

AND

REV. GERALD B. FESSARD

September 5, 1991

That there be on the part of Father Fessard particularly strict adherence to Archdiocesan policy as set forth under Precautions Priests Need to Take on Page 36 of "Clergy Policies and Guidelines-June 1989".

That in his ministry at St. Luke Church, Temple City, Father Fessard, in the spirit of the above "Guidelines", will demonstrate only "appropriate" affection, i.e., will not invite affectionate gestures, such as a hug, from minors but, on the other hand, will not be expected to turn away from a youngster who, for example, might approach him outside the church on a Sunday morning and give him a hug.

That Father Fessard will bear in mind at all times that his demeanor in this area of expression of affection must be on the conservative side.

That the parish ministry in which Father Fessard is to be involved will not include ministry to minors.

Agreement accepted by both FAther Fessard and Father King on September 5, 1991 in presence of Fr. Dyer, Vicar for Clergy.

4852

- This is fine. - as is.
- I've decided to let REDACTED
take over on the Alcohol
question - if more need to be done.
- I discussed the alcohol question
w. Gary & Tom here.
- So it's clear to both
of them that drinking
must be watched bec.
it's a catalyst.
However - I won't
put that in the
agreement.
- I've decided they needn't sign
this - simply put at
bottom of "Agreement" - that
both accepted this on 9/5/91.

in my presence.

To Tessard 12/19/

Need to tell him:

REDACTED on phone + in report, says you minimize your status as a sex offender — great diffic owning it (emotionally)

Cont. psychotherapy + supp gr. = recommended as most imp for you to have a chance to be safe if you cont. w. a priest's identity.

Developm. of the restriction for associating w. minors — as sugg. by REDACTED + arising for the report —— = that you avoid any ministerial or social contact in which rapport w. youngsters can be developed... this wld include regular Sun. MASS, etc

SAAB unanimously considered you to be too dangerous to put in a rectory residence — in the regular sense.

?? What, Whether, How (to say:)

Diffic. we face in finding residency = w. the restriction on Sun. MASS in a parish...

A rect residence wld have to be ~~tightly~~ greatly restricted w. conditions we've not had before...

Your interests in liturgy, music groups — can't be played out where you live...

4853

Each principal person on staff wld have to have the full story (of your sexual history) —— and if you find that too restrictive the [illegible]

For 12/23:

Tell Gary:

→ As we read report — says he has a lot of work to do still + as long as he's not compatible w the "sex offender" identity — he's to that extent a danger to others + himself.

→ Anonymous bare-bones consultc. w. SAATS resulted in a unanimous vote he not be in residence in a parish

→ For his safety + ours — if we work out a parish residency — it will have to be more highly restrictive as to minors.

→ Need to avoid all activities in which a person could develop rapport w. a young person: regular liturgies included; face to face confessions;

4854

→ His reaction + the report ⇒ back to SAATS

→ AD's vulnerability by his file... We've got to live w. it as well as Gary... Got to live in such a way that people will be edified by the precautions he has taken (not + scandalized) —— Thus assume there will be people who will know his story

St Luke's - Aug 30, 1994

(1)

REDACTED student. When Fr Gary came to the lock-in, he talked about his celibacy for an hour or more. We didn't want him to take up our time. And he talked about his celibacy in a funny way. He kept us guessing. He put down my school,

REDACTED He doesn't gross me out, but does make me uncomfortable. He patted a girl on her butt on the way out.

REDACTED mother, was upset by the report that a priest talked to teenagers in a way that suggested that he or other priests have odd ways of doing celibacy.

REDACTED repeated several times that he makes her uncomfortable, esp. when he's close. "I don't mind the other priests

REDACTED quoted her daughter as saying "I get the feeling like he's a child molester. That's how uncomfortable he makes me." REDACTED commented, "That pretty strong coming from a child. I don't know if he's ever done anything like that

REDACTED - youth minister

We did a penance service together once. On the very day, he phoned saying he didn't like it. He insisted I do it over. I typed it over and had to fax it to his office. Very upset, I was in tears.

The older women who work in the evening complain about his yelling at them, being constantly critical, nit-picky. They say "Nothing you do is right"

When he's not drinking, he dry, legalistic, no fooling around. When he's drinking, he gets ~~real~~ real touchy-feely. Mixed signals

When talking to the kids, he said sexuality in all people has a range from ~~from~~ very masculine to very femmine. A person can go from one end to the other. When asked if he would ever lie, he said, "I value my integrity. I tell the truth. But if anyone asked me about my celibacy, I would never say I ~~didn't~~ do anything.

Some kids then said, "So, you have fooled around." He replied, "Now, I didn't say that."

Fr Gary had been coming by the old "Upper Room", the youth group meeting room, two or three times a week, after dinner, under the influence of alcohol. He'd be smoking a pipe

REDACTED REDACTED, student, and her mother

REDACTED

REDACTED was seen off talking alone by her mother.

REDACTED herself reported their talk as helpful, sweet and appropriate. He hugged her "a little too much" while setting donuts at the parish.

REDACTED

REDACTED observed, at the Lock-In, that Fr Fessard was very much under the influence

Earlier at an evening parish event, REDACTED observed Fr Fessard patting her eight year old daughters behind, repeating it often over a period of time, and made REDACTED extremely uncomfortable. She told her husband right at that time.

At the lock-in, REDACTED sensed that the teenagers, esp. the girls, were uncomfortable, really tensed up, grabbed their pillows, when he came in.

REDACTED "I've noticed his drinking. When the priests from the tribunal had dinner here, he was very much under the influence."

REDACTED "He was kind of drunk at the Confirmation dinner and was quite demanding + rude to the people serving the dinner."

REDACTED

- adult

Her 15 year old daughter noticed the alcohol breath at a dance in an offensive kind of way. She, daughter is quite uncomfortable with Fr Fessard

REDACTED like Fr Fessard, are good friends, and have used his cabin. REDACTED did note, however, that a number her daughters' friends felt uncomfortable around him.

REDACTED

- student

4850

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When I was in the choir, he would come to the rehersal & say sing this & don't sing that.
In the last few months he started paying a lot of attention to me, his hand on my shoulder & stuff, made me uncomfortable. He told me after a meeting, "You should speak up more. You have a lot to say. You should come and talk to me."
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Fr Gary told us that he notices that we all ten

He basically told us teenagers that he had sex after he became a priest. Maybe he didn't know he said that but he did. I thought, Dee, & hope it wasn't someone like me. I hope no one was forced.

From : ST LUKE'S CHURCH TEMPLE CITY PHONE No. : REDACTED Aug.30 1994 11:30AM P01

FAX FAX FAX FAX FAX FAX

TO: MONSIGNOR TIMOTHY DYER REDACTED
FROM: REDACTED REDACTED
DATE: AUGUST 30, 1994
****

Rev. Monsignor Dyer,

Per your instructions, I have set-up appointments for Tuesday, August 30, 1994, from 7:00 p.m. until 9:30 p.m. The meetings will take place in Room 211 of the Parish Administration Center, 5605 Cloverly Avenue. As your appointments arrive, they will be sent to REDACTED REDACTED As needed, I shall escort each appointment to you. The schedule is as follows:

7:00 pm REDACTED
7:30 pm
8:00 pm
8:15 pm
8:45 pm
9:15 pm

I shall set-up drinking water in the room. If you would like something else, please do not hesitate to let me know.

CONFIDENTIAL CONFIDENTIAL CONFIDENTIAL

TESTIMONY FROM ST. LUKE, TEMPLE CITY PARISHIONERS
RE: REV. GERALD FESSARD - AUGUST 30, 1994

_____ (student): When Father Gary came to the lock-in, he talked about his celibacy for an hour or more. We didn't want him to take up our time. And he talked about his celibacy in a funny way. He kept us guessing. He put down my school, REDACTED He doesn't gross me out, but does make me feel uncomfortable. He patted a girl on her butt on the way out.

_____ (_____'s mother) was upset by the report that a priest talked to teenagers in a way that suggested that he or other priests have odd ways of doing celibacy. _____ repeated several times that he makes her uncomfortable, especially when he's close. "I don't mind the other priests," _____ quoted her daughter as saying. "I get the feeling like he's a child molester. That's how uncomfortable he makes me." _____ commented, "That's pretty strong coming from a child. I don't know if he's ever done anything like that."

_____ (youth minister): We did a penance service together once. On the very day, he phoned me saying he didn't like it. He insisted I do it over. I typed it over and had to fax it to his office. Very upset, I was in tears. The older women who work in the evening complain about his yelling at them, being constantly critical, nit-picky. They say "Nothing you do is right." When he's not drinking, he's dry, legalistic, no fooling around. When he's drinking, he gets real touchy-feely. Mixed signals. When talking to the kids, he said [that] sexuality in all people has a range from very masculine to very feminine. A person can go from one end to the other. When asked if he would ever lie, he said, "I value my integrity. I tell the truth. But if anyone asked me about my celibacy, I would never say I didn't do anything." Some kids then said, "So, you have fooled around." He replied, "Now, I didn't say that."

Father Gary had been coming by the old "Upper Room," the youth group meeting room, two or three times a week, after dinner, under the influence of alcohol. He'd be smoking a pipe.

_____ (student) and _____ (her mother): _____ was seen off talking alone by her mother. _____ herself reported their talk as helpful, "sweet," and appropriate. He hugged her "a little too much" while getting donuts at the Parish.

(continued on next page)

CONFIDENTIAL CONFIDENTIAL CONFIDENTIAL

TESTIMONY FROM ST. LUKE, TEMPLE CITY PARISHIONERS
RE: REV. GERALD FESSARD (continued)

_____: _____ observed, at the lock-in, that Father Fessard was very much under the influence.

Earlier at an evening Parish event, _____ observed Father Fessard patting her eight-year-old daughter's behind, repeating it often over a period of time, and [this] made _____ extremely uncomfortable. She told her husband right at that time.

At the lock-in, _____ sensed that the teenagers, especially the girls, were uncomfortable, really tensed up, grabbed their pillows when he came in.

_____: "I've noticed his drinking. When the priest from the Tribunal had dinner here, he was very much under the influence."

_____: "He was kind of drunk at the Confirmation dinner and was quite demanding and rude to the people serving the dinner."

_____ (adult): Her 15-year-old daughter noticed the alcohol breath at a dance in an offensive kind of way. She, daughter, is quite uncomfortable with Father Fessard. Mr. and Mrs. _____ like Father Fessard, are good friends, _____. _____ did note, however, that a number of her daughter's friends felt uncomfortable around him.

_____ (student): At the Church he would yell at young people at the youth Mass (at a boy bringing up the gifts in the "wrong" way, at a boy he thought improperly dressed). When I was in the choir, he would come to the rehearsal and say "Sing this," and "Don't sing that." In the last few months he started paying a lot of attention to me, his hand on my shoulder and stuff, made me uncomfortable. He told me after a meeting, "You should speak up more. You have a lot to say. You should come and talk to me." At the lock-in, he patted me on the butt, rubbed my shoulders and back, making me very uncomfortable. Father Gary told us that he notices that we all tense up when he comes in the room. He basically told us teenagers that he had sex after he became a priest. Maybe he didn't know he said that, but he did. I thought, "Gee, I hope it wasn't someone like me. I hope no one was forced."

CONFIDENTIAL CONFIDENTIAL CONFIDENTIAL

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(continued on next page)

TESTIMONY OF PARISHIONERS OF ST. LUKE PARISH, TEMPLE CITY RE REV. GERALD FESSARD (cont.)

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COPY

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 251-3284

1531
West Ninth
Street

Los Angeles
California
90015-1374

September 23, 1994

Rev. Gary Fessard
c/o St. Gregory Nazianzen Church
900 South Bronson Avenue
Los Angeles, CA 90019-1996

Dear Father Fessard:

This will confirm your assignment to

RESIDENCE

at St. Gregory Nazianzen Church effective September 26, 1994.

You are encouraged to assist as much as possible with the work of the parish.

May God bless you.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

cc: Rev. REDACTED
Rev. Msgr. REDACTED
Bishop Stephen E. Blaire
Rev. REDACTED

REDACTED

Copy to file + Ref for 46

4840

MEMORANDUM

DATE: September 23, 1994

TO: Cardinal Mahony

FROM: Monsignor Dyer TD

RE: Rev. Gary Fessard

As per our conversation in Washington, Father Gary Fessard will not be returning to St. Luke Parish.

Monsignors REDACTED and REDACTED came forward offering him an assignment to residence at St. Gregory Nazianzen Parish. Monsignor REDACTED is a member of the Alcohol Panel.

Thanks for the update -

+ RMM

9-30-94

4839

COPY

CONFIDENTIAL

SAINT GREGORY NAZIANZEN CHURCH
900 South Bronson Avenue
Los Angeles, CA 90019

Hone: REDACTED *Fax:* REDACTED

November 3, 1994

Rev. Msgr. Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 W. Ninth Street
Los Angeles, CA 90015-1194

Dear Tim:

The following will serve to summarize the questions and concerns I would like to raise in our discussion related to your request that I undergo a psychological evaluation at St. Luke's Institute.

As I indicated when first requested to undergo an evaluation in September, I was and I remain completely willing to do so, as I believe I am in generally good psychological health. However, since I have not been consulted as to the location or the precise timing of the evaluation, I have requested an opportunity to speak to you today and to raise some questions and concerns so as to assure that the experience will be to my benefit as well as to that of the Archdiocese, and that the rights of all parties will be respected.

My basic question is: what is the purpose of the evaluation as you and His Eminence envision it, and what is its scope? What factors are to be included in the evaluation? Accordingly, I would request a copy of any correspondence between yourself and St. Luke's Institute with respect to the evaluation I am to receive. If there is no such correspondence, I would appreciate having your verbal requests and/or directions to St. Luke's put in writing for my benefit prior to my leaving for the evaluation.

My concerns include the following:

1. As the past six weeks or so have been a time of great emotional turmoil, as well as of growth and healing for me, I am concerned that I be at an emotional point where a psychiatric/psychological evaluation would find me ready, thereby helping rendering it both helpful, objective and fair. I desire to continue therapy here, but for reasons of which you are aware, I am not able to continue with the therapist I had been seeing for the past year or so. I have not yet located or begun therapy with someone else, but would like to do so. In light of this, I wonder if a postponement of an evaluation might not be justified.

2. Prior to yesterday, I did not know the facility at which you wished me to be evaluated. Knowing that St. Luke's Institute is your choice gives me some reassurance, and I am willing to go there for evaluation, provided I can honor some family commitments of long standing which I have made for this month here in the Los Angeles area.

3. I am concerned that the testing which I am asked to undergo be in conformity with principles of Catholic moral theology. Accordingly, I reserve the right to refuse to undergo any form of testing which I judge to be contrary to those principles or to infringe unduly on my right to privacy.

4. So that I will have full access to and knowledge of the results of my evaluation, I will request and expect to receive from St. Luke's Institute a copy of any and all material relative to my evaluation to be supplied by the Institute to the Archdiocese.

5. I am concerned about how a written evaluation from St. Luke's to be placed in my personal file may be used in the future, either by archdiocesan or by other officials. Such records are conceivably subject to subpoena in civil law, and I am concerned lest my right to privacy be unduly infringed by their presence in my file for an undefined period of time.

Thank you for your willingness to discuss and to respond to these issues with me today, and for your assistance and concern during my recent treatment.

Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

COPY

SAINT GREGORY NAZIANZEN CHURCH
900 South Bronson Avenue
Los Angeles, CA 90019

CONFIDENTIAL

Hone: [redacted]

November 3, 1994

Rev. Msgr. Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 W. Ninth Street
Los Angeles, CA 90015-1194

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Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

MEMORANDUM

TO: Msgr. Timothy Dyer

FROM: Rev. Gerald B. Fessard GF

SUBJECT: Travel Arrangements: November 13 - 19

DATE: November 7, 1994

My travel plans to Washington for the week of November 13 - 19 are as follows:

Sunday, November 13:	Delta Flt. #1420 LAX-Atlanta	Lv 8:35 A.M.
	Delta Flt. #964 Atlanta-Washington National	**Arr 7:15 P.M.**
Saturday, November 19:	Delta Flt. #1881 Washington-Atlanta	Lv 12:35 P.M.
	Delta Flt. #157 Atlanta-LAX	Arr 5:05 P.M.

I am unable to stay over Saturday night, due to my niece's baptism scheduled on Sunday, the 20th. The fare quoted to me by REDACTED is $1392. They will bill your office.

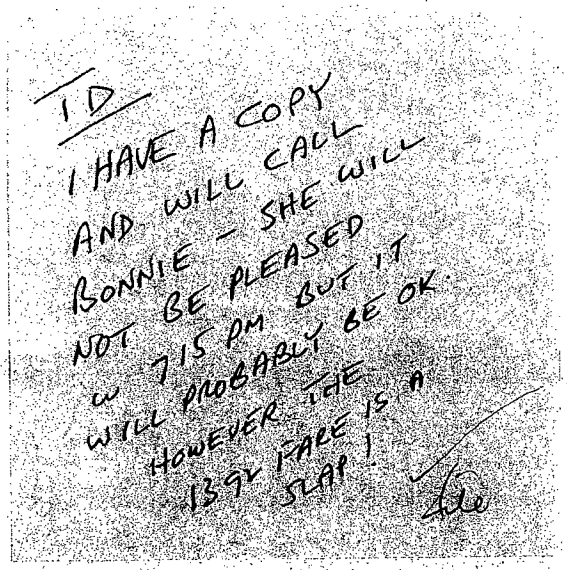
Info on flight given to Bonnie Connor at St Luke by phone 11/9/94

REDACTED

REDACTED

REDACTED

4833


ID
I HAVE A COPY
AND WILL CALL
BONNIE - SHE WILL
NOT BE PLEASED
W 715 PM BUT IT
WILL PROBABLY BE OK
HOWEVER IDE-
SERVE IS A
SLAP !

MEMORANDUM

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FROM: Rev. Gerald B. Fessard GF

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4832

CONFIDENTIAL

MEMORANDUM

TO: Monsignor Dyer

FROM: Father Fessard

SUBJECT: Materials for St. Luke's Institute from the Archdiocese

DATE: November 10, 1994

Thank you, Tim, for detailing for me the materials you intend to send to St. Luke's in preparation for my evaluation there next week. It is my understanding that they are the following:

1. Introductory Letter of Monsignor Thomas Curry to the Servants of the Paraclete, Jemez Springs, NM, requesting my treatment there in June, 1987;

2. Character Reference Letter of Msgr. Thomas Curry to Los Angeles County Probation Department in or about June, 1987;

3. Initial, Interim and Final Reports of the Servants of the Paraclete, Jemez Springs, NM, concerning my treatment there July-December, 1987;

4. Final Report of my Therapist, REDACTED June 1989, concluding treatment of January, 1988 - June, 1989;

5. Copy of Agreement which you drew up at the time of my assignment to residence at St. Luke Parish, Temple City, in September, 1991;

6. Your summary of your interviews with certain individual members of St. Luke Parish Youth Group (and parents?) concerning their allegations.

I have seen and read all but the last two items in this list. The last two items you shared with me orally, at least in summary form. As requested in my letter of November 3, 1994, I would appreciate receiving copies of these materials, together with any introductory or other correspondence you may have (had) with St. Luke's concerning me.

I would particularly like to have a copy of the "Agreement" referred to in Item #5 before leaving for St. Luke's on Sunday morning. Since I did not sign it at the time you drew it up, I don't believe I ever actually saw it. ✓ given him 11/10/94

Thank you again, Tim, for your kindness, patience and attention to these requests. I appreciate your support, and I am looking forward to concluding this difficult chapter of my life, and moving on to continued growth.

4830

11/10/94

COPIES OF ALL THIS
FED X'D TO REDACTED
REDACTED AT ST LUKE'S
ATTN: REDACTED
ON ABOVE DATE:
REPORT OF LATEST INCIDENT
WITH NAMES SEPARATELY
IN THIS C. FILE

DATE INITIATED: _____

NAME: Rev. GARY Fessard ( ) _____

PERSON MAKING ALLEGATION: 2 Sophomores at OLQA (1987) ( ) _____ Work

YOUTH MINISTER on (1994) behalf of youth - ST. Luke's Parish ( ) _____ Home

REPORT/ALLEGATION: _____

ARCHDIOCESAN ATTORNEY/INSURANCE NOTIFIED: [date] _____

THERAPISTS/DOCTORS: Dr. REDACTED ( ) _____
[priest] Dr. REDACTED

THERAPISTS/DOCTORS: _____ ( ) _____
[for others] _____ ( ) _____

ADDITIONAL CONTACT _____ ( ) _____
PERSONS: _____ ( ) _____

ADVOCATES/ATTORNEY: _____ ( ) _____
_____ ( ) _____

CASE CHRONOLOGY:

DATE	
6-19-87	GARY pleads guilty to one charge of battery and one charge of sexual molestation. GARY denied touching the 2 sophomores in their OLQA dormitory but admitted very inappropriate behavior - sleeping in same bed w. 3 other students at a mtn. cabin
6-87	Probation w. treatment required
7-87	Begins treatment at Jemez Springs
11-87	T. Curry visits G.F. + receives staff report at REDACTED
12-87	Assignment to Tribunal

1/88 - 7/89	Counselling w. DR. REDACTED
9/91	Agreement betw. Archdiocese and G.F.
8-30-94	Report of inappropriate behavior by G. Fessard with girls of minor age — ST. Luke's Youth Group / Drinking involved.
9-94	Exodus Unit — treatment prog for 30 days
9-26-94	T. Dyer + REDACTED, visit G.F. re next steps...
10-94	Mtg in V.Cl. Office w. G.F. + REDACTED REDACTED re strict + total restrictions around ministry to + contact with minors
11/13 to 18	Evaluation at S.L.I.

RECOMMENDATIONS:

AFTERCARE CHRONOLOGY:

DATE

NOTES

therapy"

- Problem is that in parish residence — he will find a crack + then he'll get more active.

- Shouldn't greet p. after MASS or be w. altar boys at MASS regularly — so that he begins a rapport w. youngsters ~~(minors)~~ (minors)

- He does admit to currently having sexual fantasies involving ~~a~~ minors ~~a currently~~ — but this arousal around 13-14 yr. olds is very infrequent

- Does not give permission for SLI report to be sent. ~~sent~~ to AD.

our summary:

Rphebofile who is ~~a~~ in some denial that he is one. Resists identifying himself as such — which puts him at a mildly greater risk.

To be in a parish — someone has to follow him around to make sure he does not form a rapport w minors. Right now — we cannot provide that kind of supervision . . .

⇒ SAAB

4855

NOTES

Gary Jessard / REDACTED 11/23

→ issue w. G.J. = to what degree he continues to have a problem: 1) w. sexual touch + 2) w. alcohol

→ I don't think he needs residential treatm.

→ He needs to understand he has a problem If he'd made a strong commitment - he would have signed the 9/91 agreement. It was inevitable for him on

→ He has this legalistic mind when it comes time, rationalizing + then gets in trouble...

→ NO contact w. minors. None. Has to be in a parish + not be around minors.

→ divisible one S.A. mtg/mo.

→ outpatient psychotherapy (someone who has a specialty in being a "sex offender" + ongoing recovery for Alch.) — use the word "sex offender" — see that's what he needs to hear + that's what he wants to avoid. He needs relapse provision

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4856

REDACTED

December 13, 1994

CONFIDENTIAL

Rev. Msgr. Timothy J. Dyer
Vicar for Clergy
1531 West Ninth Street
Los Angeles, CA 90015

Dear Monsignor Dyer:

By now you are no doubt in receipt of the evaluation report prepared by Dr. REDACTED of the St. Luke Institute and dated December 5, 1994. I believe I should bring to your attention an error of fact contained in that report, and offer a correction.

On Page 4 of the report, the second complete paragraph, there is reference to my conviction and sentence of probation in 1987. The correct information is as follows: I did not plead "guilty" to these misdemeanor charges. Rather, I entered a plea of *nolo contendere*, a plea which has different effects in the event of potential future civil prosecution. My sentence upon conviction was a probation of three years, not three months as stated in the report. Upon my successful serving of this probation period, my convictions were expunged from my record by order of the Court.

I ask that the above information and clarification be provided to those authorized to read this report, and that this letter be kept on file together with the report.

I look forward to discussing the results of my evaluation at your earliest convenience.

Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard

4818

MEMORANDUM

TO: Msgr. Timothy J. Dyer

FROM: Rev. Gerald B. Fessard

SUBJECT: Proposal for Residence - Maryknoll Center, Monrovia

DATE: January 13, 1995

Maryknoll Convent is a retirement center for the Marvknoll Sisters. It is a former hospital facility, located on seven acres at REDACTED The present Administrator is SisterREDACTED .

Facilities

The Center currently houses 42 retired sisters, all of whom are well and ambulatory (they have another facility on the East Coast for those who require nursing care). There is space available for 62 sisters. I am told that their ideal population would be 55.

The facilities consist of two principal residence buildings, a separate chapel building, a dining room and kitchen building, and an "annex" which is occasionally used by adult parish groups for days of recollection or conferences. The grounds are beautifully maintained, the neighborhood very conducive to walking and other forms of exercise. There is also a swimming pool.

The Chaplain's quarters consist of a separate air-conditioned apartment of 3 rooms and a bath (living room, kitchenette/dining, bedroom) on the basement level of the main residence building. There is private access to the basement level from the outside. There are clerestory windows in the apartment which provide adequate light and a pleasant atmosphere, and which open onto a landscaped yard and orange grove.

Meals in the Center dining room are available to the chaplain. However, I would generally not be able to be present for their lunch and dinner, due to their food service hours. The apartment kitchenette would meet my breakfast needs, and evening meals I would share with priests en route to our evening recovery meetings, friends, exercise club, my own cooking or other social commitments.

Duties

The Center is currently seeking a priest/chaplain, whose duties at this time include only daily Mass. At present they have a priest for the Sacrament of Penance, but this could become an additional need at some future time. Because all the residents are basically in good health, there would be no demand for chaplaincy services of a hospital type. This arrangement would thus fit in well with my full time Tribunal responsibilities.

The Sisters' Eucharistic celebrations on weekdays are at 7:30 A.M., which would make my commute to the Tribunal feasible (it is a distance of about 24 miles, but I

RCALA 003382

would not be traveling at peak traffic hours). The weekend liturgies are currently scheduled at 8 A.M. The liturgies are open to visitors, of which there are some from neighboring parishes on weekends.

Financial Remuneration

From my preliminary discussion with the Administrator, the Center is willing to provide my room and board in return for daily Mass. Given that I would not be present for most meals, they are open to some compensation for meals outside. If this proves to be inadequate, I would have to seek additional assistance from the Archdiocese.

Other needs to provide amenities comparable to rectory living, for which I would request a monthly allotment from the Archdiocese, would include the following:

**Laundry/Dry Cleaning
**Daily Newspaper
**Telephone
**Postage, Stationery, etc.
**Food Staples not available from Dining Room

I would also request to continue receiving the monthly allotment in lieu of Mass stipends from the Archdiocese.

Furnishing Needs

Though the apartment presently has basic furnishings for a resident, there are certain furnishing improvements which I would hope to see provided prior to my moving in permanently. I am reluctant to ask the Sisters to bear the cost of these exclusively, so I would ask the Archdiocese to bear at least partial financial burden for the following:

**painting and/or paneling
**carpet
**bathroom flooring
**bookshelves/cabinets
**microwave/oven
**full size bed
**recliner chair
**possible lighting improvements

I have local sources for the labor for most of the above suggested improvements. Therefore, I would estimate the total cost for the above to be no more than $2000.

I believe the above position of chaplain in residence at the Maryknoll Retirement Center would provide more than adequate housing, a mutually beneficial and enriching part-time ministry, pleasant surroundings conducive to ministry and recovery, and would take into account the restrictions recommended for my recovery.

I am grateful for your and the Cardinal's consideration of this proposal.

Respectfully submitted,

4812

CCI 000412

MEMORANDUM

TO: Msgr. Timothy J. Dyer

FROM: Rev. Gerald B. Fessard

SUBJECT: Proposal for Residence - Maryknoll Center, Monrovia

DATE: January 13, 1995

Maryknoll Convent is a retirement center for the Maryknoll Sisters. It is a former hospital facility, located on seven acres at [redacted] The present Administrator is Sister [redacted]

Facilities

The Center currently houses 42 retired sisters, all of whom are well and ambulatory (they have another facility on the East Coast for those who require nursing care). There is space available for 62 sisters. I am told that their ideal population would be 55.

The facilities consist of two principal residence buildings, a separate chapel building, a dining room and kitchen building, and an "annex" which is occasionally used by adult parish groups for days of recollection or conferences. The grounds are beautifully maintained, the neighborhood very conducive to walking and other forms of exercise. There is also a swimming pool.

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Duties

The Center is currently seeking a priest/chaplain, whose duties at this time include only daily Mass. At present they have a priest for the Sacrament of Penance, but this could become an additional need at some future time. Because all the residents are basically in good health, there would be no demand for chaplaincy services of a hospital type. This arrangement would thus fit in well with my full-time Tribunal responsibilities.

The Sisters' Eucharistic celebrations on weekdays are at 7:30 A.M., which would make my commute to the Tribunal feasible (it is a distance of about 24 miles, but I

would not be traveling at peak traffic hours). The weekend liturgies are currently scheduled at 8 A.M. The liturgies are open to visitors, of which there are some from neighboring parishes on weekends.

Financial Remuneration

From my preliminary discussion with the Administrator, the Center is willing to provide my room and board in return for daily Mass. Given that I would not be present for most meals, they are open to some compensation for meals outside. If this proves to be inadequate, I would have to seek additional assistance from the Archdiocese.

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**Daily Newspaper
**Telephone
**Postage, Stationery, etc.
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**microwave/oven
**full size bed
**recliner chair
**possible lighting improvements

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I believe the above position of chaplain in residence at the Maryknoll Retirement Center would provide more than adequate housing, a mutually beneficial and enriching part-time ministry, pleasant surroundings conducive to ministry and recovery, and would take into account the restrictions recommended for my recovery.

I am grateful for your and the Cardinal's consideration of this proposal.

Respectfully submitted,

MEMORANDUM

TO: Monsignor Dyer

FROM: Father Fessard

SUBJECT: Residence - Addendum to Proposal

DATE: January 17, 1995

I called your home number on Friday to let you know that, as you suggested, I have arranged to stay with the Maryknoll Sisters this week as a "trial run," primarily to see how the commute to the Office would work out. So far so good; all concerned seem happy. The drive this morning took me 40 minutes--not bad at all--and I arrived at about the same time I was from St. Gregory's and even earlier than when I was at St. Luke's.

As I indicated in the proposal (which I hope you received from REDACTED, the accommodations are of adequate size and basically comfortable for my needs. Windows and lighting are even better than I originally observed. There are some improvements which would help. Perhaps you or REDACTED would be willing to ride out there with me to look the place over and discuss possibilities.

As mentioned, I would not be present for most meals at the Center. For meals out, having my laundry done, apartment cleaning, and other items, I would need a monthly allotment from the Archdiocese. After a little more time to calculate a monthly budget, this is what I have come up with:

Meals	[redacted]
Laundry, Cleaning	[redacted]
Miscellaneous (Newspaper, Water, etc.)	[redacted]
Total	[redacted]

Let me know if you need more information. I will be going back to St. Gregory's on Sunday evening. Next Tuesday I will be going to REDACTED :DACTED ordination, back on Thursday the 26th. I would hope to get the necessary approvals, iron out details, set other things in motion this week or early next, if at all possible.

Thanks for your help. I look forward to hearing from you.

4813

MEMORANDUM

TO: Monsignor Dyer

FROM: Father Fessard

SUBJECT: Residence - Addendum to Proposal

DATE: January 17, 1995

I called your home number on Friday to let you know that, as you suggested, I have arranged to stay with the Maryknoll Sisters this week as a "trial run," primarily to see how the commute to the Office would work out. So far so good; all concerned seem happy. The drive this morning took me 40 minutes--not bad at all--and I arrived at about the same time I was from St. Gregory's and even earlier than when I was at St. Luke's.

As I indicated in the proposal (which I hope you received from REDACTED, the accommodations are of adequate size and basically comfortable for my needs. Windows and lighting are even better than I originally observed. There are some improvements which would help. Perhaps you or REDACTED would be willing to ride out there with me to look the place over and discuss possibilities.

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Meals	$[redacted]
Laundry, Cleaning	[redacted]
Miscellaneous (Newspaper, Water, etc.)	[redacted]
Total	[redacted]

Let me know if you need more information. I will be going back to St. Gregory's on Sunday evening. Next Tuesday I will be going to Salt Lake City for REDACTED ordination, back on Thursday the 26th. I would hope to get the necessary approvals, iron out details, set other things in motion this week or early next, if at all possible.

Thanks for your help. I look forward to hearing from you.

MEMORANDUM

January 24, 1995

TO: Cardinal Mahony

FROM: Father Timothy Dyer TD.

RE: Fr. Gary Fessard

Following his evaluation at St. Luke's Institute, Fr. Fessard was placed in pro tem residency at St. Gregory's, Los Angeles while REDACTED REDACTED and I reviewed questions raised about his assignment (following recidivist behavior) and appropriate residence.

A presentation was made in December to the Sexual Abuse Advisory Board and objections were raised to residency in a parish rectory where Fr. Fessard would surely face expectations from parishioners wanting to be involved with him for normal ministerial services.

I asked Fr. Fessard to be active in helping to locate an alternative residence and he contacted the Retirement Center for Maryknoll Sisters in Monrovia where there is need for a chaplain. A basement apartment with kitchenette is available. Attached is Fr. Fessard's outline of "Facilities" and "Duties" as well as financial considerations. His duties as chaplain would not interfere with his present assignment at the Tribunal and, though the daily commute would be a long one, he believes he can work that out with Msgr. Cox.

Fr. Fessard, if approved for this residence (which met with SAAB approval last week), would attach himself to a nearby rectory for dinners in the evening. The pastor would be involved in the process of monitoring and accountability we are now using for priests in recovery. This pastor, in keeping with the recent SLI evaluation, would be clearly told be Fr. Fessard that he is a "sex offender."*

yes!

The Sexual Abuse Advisory Board further recommended that the Director of the retirement home be apprised of Fr. Fessard's history. If Fr. Fessard were, in future years, to attach himself to another rectory for dinners -- the new pastor would be informed and begin to act as contact pastor in theaccountability process.

I need your decision on this residency and his proposed financial arrangement (p.2 of attached 1/13/95 memo and the 1/17/95 memo).

Looks OK to me - probably the best we can do -

*Fr. REDACTED (SAAB member) offered a suggestion which was highly recommended by all on the Board: That in this and any similar case, Fr. Fessard be told that it is his responsibility to fully disclose his history to the pastor to whose rectory he will be attached. The pastor would then call me to report Fr. Fessard's presentation and, if Fr. Fessard's version is complete and correct, his proposal (choice of pastor and residence) would then be approved.

4814

+ Rhm

1-26-95

(#0706)

OUTPATIENT THERAPY RECORD

PRIEST: REV. GERALD B. FESSARD THERAPIST: REDACTED

REDACTED DACTED

PASTOR: REDACTED SPIRITUAL DIRECTOR: _____

DATE CPIP SENT: 5/23/95 DATE CPIP RETURNED: 5/30/95

DATE INITIAL THERAPIST MEMO AND TREATMENT PLAN SENT: 5/31/95

DATE INITIAL TREATMENT PLAN AND [RELEASE] RETURNED: 9/28/95 (no release) no 7 *

DATE PASTOR ~~FINANCE~~ N/A LETTER SENT: 5/31/95

N/A DATE SPIRITUAL DIRECTOR LETTER SENT: N/A

SEND PROGRESS REPORTS WHAT DATE?: 10/01/95

THERAPIST PROGRESS REPORT #1 SENT: 10/16/95 RETURNED: ~~10/30/95~~ A no 1

PASTOR PROGRESS REPORT #1 SENT: (2) 10/16/95 RETURNED: (1) 11/6/95 (2) *

PRIEST SELF-ASSESSMENT #1 SENT: 10/16/95 RETURNED: 11/7/95 A no 2

COPIES TO SPIRITUAL DIRECTOR: N/A

SEND PROGRESS REPORTS WHAT DATE?: 2/1/96

THERAPIST PROGRESS REPORT #2 SENT: _____ RETURNED: _____

PASTOR PROGRESS REPORT #2 SENT: _____ RETURNED: _____

PRIEST SELF-ASSESSMENT #2 SENT: _____ RETURNED: _____

COPIES TO SPIRITUAL DIRECTOR: _____ RETURNED: _____

SEND PROGRESS REPORTS WHAT DATE?: _____

THERAPIST PROGRESS REPORT #3 SENT: _____ RETURNED: _____

PASTOR PROGRESS REPORT #3 SENT: _____ RETURNED: _____

PRIEST SELF-ASSESSMENT #3 SENT: _____ RETURNED: _____

COPIES TO SPIRITUAL DIRECTOR: _____

5001

CONFIDENTIAL

COPY

MEMORANDUM

February 4, 1995

TO: REDACTED

FROM: Father Timothy Dyer

RE: Fr. Gary Fessard

The Cardinal has given permission for Fr. Fessard to have a residence outside a rectory. (I will fill you in on the reasons, if you like.)

Fr. Fessard has located a living situation in the residence of the retired Maryknoll Sisters in Monrovia.

I sent the attached two memos to the Cardinal and he approved them; however, I think you should review them to see if you feel the financial requests are reasonable. The first memo, Jan. 13, '95, asks for $2,000 to remodel the quarters. In my opinion, that is probably realistic and there does not seem to be any way to get even a part of that from the Sisters. The second memo, Jan. 17, '95, proposes a monthly stipend of $350. I think this one needs your scrutiny. Fr. Fessard will be attached to a nearby rectory where he can have dinner in the evenings (although some evenings he may have to attend 12-step meetings at a distance from Monrovia and would have to eat out or have an L.A. rectory where he could have an evening meal after leaving the Tribunal).

Let me know if you want to meet and have me give you more by way of explanation.

4810

MEMORANDUM

COPY

TO: Monsignor Terry Fleming

FROM: Father Gerald B. Fessard

SUBJECT: Request for Payment: Approved Remodeling Expenses, Maryknoll Center, Monrovia

DATE: February 24, 1995

I am requesting two checks for payment of remodeling expenses which you had previously approved for my quarters at the Maryknoll Sisters' Center in Monrovia.

I realize you asked that I submit all bills to you at one time. However, as it will be a while before the work is finished (my helper is donating much of his labor and must do the work in his free evening hours), I have two outstanding bills for carpet and painting supplies which are due and payable now. They are as follows:

1. REDACTED [redacted]

2. [redacted]

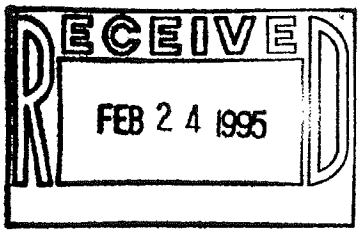
Copies of the bills are enclosed. Please return these checks to me for payment. There will be only one or two more bills to be paid on this project. I expect to submit it/them within the next two weeks.

Just to let you know: I met with Tim Dyer last Tuesday afternoon concerning my living supplement. We agreed that I would keep track of and evaluate my expenses in February and March, and let you know if there is need for further assistance.

Thank you very much, Terry.

cc: Msgr. Tim Dyer

4809



MEMORANDUM

CONFIDENTIAL

TO: Monsignor Timothy J. Dyer
Vicar for Clergy

FROM: Father Gerald B. Fessard

SUBJECT: Meeting of February 21, 1995

DATE: February 24, 1995

The following summarizes my understanding of the conclusions jointly reached on the principal points discussed in my meeting with you and REDACTED in your office on Tuesday, February 21.

1. I am to have two priests, REDACTED REDACTED and Father REDACTED , with whom I will maintain regular contact as part of my "recovery protocol." These two priests will be called upon on a quarterly basis to submit a brief written summary and comments on my recovery progress.

2. I will inform the Sister Administrator at Maryknoll, Monrovia (and in all likelihood her three-member Administrative Board) of the circumstances which led to my residence appointment there and a summary history of my abuse problems. It is my understanding that she also will be called upon for a quarterly written evaluation.

3. With regard to my living expenses, I will maintain records during February and March, and will submit a request for additional assistance, if needed, to you and REDACTED

In connection with Points 1 and 2, I would appreciate receiving from you, as soon as possible, a copy of the form which would be used by the individuals indicated for their quarterly written evaluation. This form was referred to by REDACTED , I believe, in our meeting. It would be helpful to have this form particularly for my discussion with Sister REDACTED so that she and I will both know more precisely the nature and scope of the information begin sought from her. I will await a copy of this form before meeting with Sister and her Board.

Thank you for your time and assistance.

4808

Priest: Gerald B. Fossard

Therapist: REDACTED

Pastor(s): Rev. Eric Walker
Cathedral Chapel
922 S. Detroit St. LA 90036

Rev. Msgr. Edward Johnson
St. Brigid Regional Church
900 S. Bronson Ave LA 90019

NO Spiritual Director

5023

CLERGY PERFORMANCE IMPROVEMENT PLAN

Name: Rev. Gary Fessard

The purpose of this contract is to clarify treatment requirements, attitude, and behavioral changes necessary to improve your work performance.

Treatment Requirements:

Therapy twice each month with REDACTED Ph.D. (so long as this cutback from weekly sessions is fully supported REDACTED).

Possible group therapy if resumed by the Archdiocese.

12 Step Self Help Program Attendance

Attendance at a minimum of ~~two-to-three~~ AA meetings each week.

Attendance at a minimum of one 12-step program addressing sexual addiction each week.

Reading Assignments:

Slayer of the Soul, by Stephen J. Rossetti

Understanding Sexual Misconduct by Clergy: A Handbook for Ministers, by John Allan Loftus, S. J.

Sex in the Forbidden Zone, by Peter Rutter, M.D.

Work Restrictions:

From working with and ministering to children and adolescents.

From working in ministerial situations in which rapport with minors could be established.

To search out opportunities to celebrate Sunday liturgy in all-adult settings (eg. Jail or prison facilities, senior citizen or convalescent homes).

Careful adherence to Archdiocesan guidelines for priests re priests and minors: no access to priest's quarters, being alone with a minor behind closed doors, no daysoff or vacation time with minors, being alone with minors in the car, etc.

5020

Refraining from touching or showing affection to minors which could even possibly be construed by others as inappropriate. (Handshake is the expected sign of relationship.)

Permitted to celebrate an occasional parish Mass (other than a children's Mass) which would not exceed 4 times/year in any given parish. A log of these Masses is to be kept and shared periodically with the pastor/mentor in this who does the progress reports.

Behavioral Changes:

To move beyond the sense of "shame" and the "avoidance" patterns that surrounds confrontation of the issues which led to the SLI evaluation and, in accord with Dr. REDACTED recommendation, to develop a willingness to identify with ~~"sex offender"~~ "sex addiction" as part of one's identity.

Spiritual:

Encouraged to meet monthly with a spiritual director with whom Fr. Fessard will share this Improvement Plan as well as future progress reports from the pastors and therapist with whom he is engaged.

Attitude:

Continue to grow in the attitude of "acceptance" and "letting go" involved in this protocol which requires feedback, accountability and progress reports.

To arrive at an increased sense of self worth in the context of the present work restrictions iministry.

To grow in acceptance that other recovering people, his therapist and Church authorities are in alliance with him.

Medical:

Annual medical check-up.

Fitness/Health:

Regular exercise.

I have read the above Clergy Performance Improvement Plan and agree to adhere to the requirements.

_____ _____

Signature Date

___ Patient Copy

___ Therapist Copy -

___ Spiritual Director Copy

_✓_ Pastor/Peer Copy

Time Line of Contract:

_____

COPY

Archdiocese of Los Angeles

Office of Vicar for Clergy (213) 251-3284

1531 West Ninth Street

Los Angeles California 90015-1194

CLERGY PERFORMANCE IMPROVEMENT PLAN

Name: Rev. Gerald B. Fessard

The purpose of this contract is to clarify treatment requirements, attitude, and behavioral changes necessary to improve your work performance.

Treatment Requirements:

Therapy twice each month with REDACTED Ph.D. (so long as this cutback from weekly sessions is fully supported by her).

Possible group therapy, if resumed by the Archdiocese.

12-Step Self-Help Program Attendance:

Attendance at a minimum of two AA meetings each week.

Attendance at a minimum of one 12-Step Program addressing sexual addiction each week.

Reading Assignments:

Slayer of the Soul, by Stephen J. Rossetti

Understanding Sexual Misconduct by Clergy: A Handbook for Ministers, by John Allan Loftus, S.J.

Sex in the Forbidden Zone, by Petter Rutter, M.D.

Work Restrictions:

From working with and ministering to children and adolescents.

From working in ministerial situations in which rapport with minors could be established.

To search out opportunities to celebrate Sunday liturgy in all-adult settings, e.g., jail or prison facilities, senior citizen or convalescent homes.

(continued)

5017

Work Restrictions (cont.):

Careful adherence to Archdiocesan guidelines for priests in re priests and minors: no access to priest's quarters, no being alone with a minor behind closed doors, no days off or vacation time with minors, no being alone with minors in the car, etc.

Refraining from touching or showing affection to minors which could even possibly be construed by others as inappropriate. (A handshake is the expected sign of relationship.)

Permitted to celebrate an occasional parish Mass (other than a children's Mass) not exceeding four times a year in any given parish. A log of these Masses is to be kept and shared periodically with the Pastor/Mentor in this plan who completes the progress reports.

Behavioral Changes:

To move beyond the sense of "shame" and the "avoidance" patterns that surround confrontation of the issues that led to the SLI evaluation and, in accord with Dr. REDACTED recommendation, to develop a willingness to identify with "sex addiction" as part of one's identity.

Spiritual:

Encouraged to meet monthly with a Spiritual Director, with whom you will share this Improvement Plan, as well as future progress reports from the Pastors and therapist with whom you are engaged.

Attitude:

To continue to grow in the attitude of "acceptance" and "letting go" involved in this protocol, which requires feedback, accountability, and progress reports.

To arrive at an increased sense of self-worth in the context of the present work restrictions in ministry.

To grow in acceptance that other recovering people, your therapist, and Church authorities are in alliance with you.

Medical: Annual medical check-up.

Fitness/Health: Regular exercise.

(continued)

I have read the above Clergy Performance Improvement Plan and agree to adhere to its requirements.

_____ _____

Signature Date

____ Patient Copy

____ Therapist Copy

____ Spiritual Director Copy

____ Pastor/Mentor Copy

____ Pastor/Mentor Copy

Time Line of Contract:

_____

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 251-3284
1531 West Ninth Street
Los Angeles California 90015-1194

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Treatment Requirements:

Therapy twice each month with REDACTED Ph.D. (so long as this cutback from weekly sessions is fully supported by her).

Possible group therapy, if resumed by the Archdiocese.

12-Step Self-Help Program Attendance:

Attendance at a minimum of two AA meetings each week.

Attendance at a minimum of one 12-Step Program addressing sexual addiction each week.

Reading Assignments:

Slayer of the Soul, by Stephen J. Rossetti

Understanding Sexual Misconduct by Clergy: A Handbook for Ministers, by John Allan Loftus, S.J.

Sex in the Forbidden Zone, by Petter Rutter, M.D.

Work Restrictions:

From working with and ministering to children and adolescents.

From working in ministerial situations in which rapport with minors could be established.

To search out opportunities to celebrate Sunday liturgy in all-adult settings, e.g., jail or prison facilities, senior citizen or convalescent homes.

(continued)

5002

Work Restrictions (cont.):

Careful adherence to Archdiocesan guidelines for priests in re priests and minors: no access to priest's quarters, no being alone with a minor behind closed doors, no days off or vacation time with minors, no being alone with minors in the car, etc.

Refraining from touching or showing affection to minors which could even possibly be construed by others as inappropriate. (A handshake is the expected sign of relationship.)

Permitted to celebrate an occasional parish Mass (other than a children's Mass) not exceeding four times a year in any given parish. A log of these Masses is to be kept and shared periodically with the Pastor/Mentor in this plan who completes the progress reports.

Behavioral Changes:

To move beyond the sense of "shame" and the "avoidance" patterns that surround confrontation of the issues that led to the SLI evaluation and, in accord with Dr. REDACTED recommendation, to develop a willingness to identify with "sex addiction" as part of one's identity.

Spiritual:

Encouraged to meet monthly with a Spiritual Director, with whom you will share this Improvement Plan, as well as future progress reports from the Pastors and therapist with whom you are engaged.

Attitude:

To continue to grow in the attitude of "acceptance" and "letting go" involved in this protocol, which requires feedback, accountability, and progress reports.

To arrive at an increased sense of self-worth in the context of the present work restrictions in ministry.

To grow in acceptance that other recovering people, your therapist, and Church authorities are in alliance with you.

Medical: Annual medical check-up.

Fitness/Health: Regular exercise.

(continued)

CLERGY PERFORMANCE IMPROVEMENT PLAN Rev. Gerald B. Fessard Page 3

I have read the above Clergy Performance Improvement Plan and agree to adhere to its requirements.

Gerald B Fessard
Signature

5/23/95
Date

___ Patient Copy

___ Therapist Copy

___ Spiritual Director Copy

___ Pastor/Mentor Copy

___ Pastor/Mentor Copy

Time Line of Contract:
5/23/95 – 7/1/96

5004

CONFIDENTIAL

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 251-3284
1531 West Ninth Street
Los Angeles California 90015-1194

May 30, 1995

Rev. REDACTED
St. Gregory Nazianzen Church
900 South Bronson Ave.
Los Angeles, CA 90019

Dear Monsignor Johnson:

Enclosed is a Clergy Performance Plan used for priests in outpatient therapy and here adapted to the needs of Father Gerald B. Fessard.

We will be sending you every four months while the plan is in place a "Pastor Progress Report Form," which is normally used by the priest's Pastor. Since Father Fessard is not assigned to St. Gregory's in any capacity, it will not exactly fit the Pastor/Mentor role you and Father REDACTED have agreed to assume, but I believe we can use it to give us needed information regarding Father Fessard's progress.

It was good seeing you last week, and please call me if you have any questions at this point.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

Enclosure

5016

COPY

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 251-3284
1531 West Ninth Street
Los Angeles California 90015-1194

May 30, 1995

Rev. Earl Walker
Cathedral Chapel
922 South Detroit St.
Los Angeles, CA 90036

Dear Father Walker:

Enclosed is a Clergy Performance Plan used for priests in outpatient therapy and here adapted to the needs of Father Gerald B. Fessard.

We will be sending you every four months while the plan is in place a "Pastor Progress Report Form," which is normally used by the priest's Pastor. Since Father Fessard is not assigned to St. Gregory's in any capacity, it will not exactly fit the Pastor/Mentor role you and Monsignor Edward Johnson have agreed to assume, but I believe we can use it to give us needed information regarding Father Fessard's progress.

It was good seeing you last week, and please call me if you have any questions at this point.

Sincerely yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

/lbm

Enclosure

5015

COPY

MEMORANDUM

June 1, 1995

TO: REDACTED Ph.D.
FROM: Monsignor Timothy Dyer, Vicar for Clergy

RE: Rev. Gerald B. Fessard

Thank you for agreeing to provide services to Father Gerald Fessard. Enclosed is your copy of the Clergy Performance Plan drawn up for him. So that my office can monitor his progress in counseling, I ask your cooperation in the following procedures:

1. Initial Treatment Plan: Please complete and return the attached Initial Treatment Plan form by the patient's third visit. Include a copy of your Release of Information form for our records.

2. Progress Reports: We require a complete progress report every four months and will send you a short form for that purpose when a report is due. The patient will be required to complete a "self-assessment" progress report at similar intervals, and his Pastor may also be asked to send me regular progress reports.

3. Final Summary Report: We will send you a Final Summary Report form for completion and return on notification of your decision to terminate treatment.

4. Confidentiality: I fully understand the importance of confidentiality if you are to develop and maintain a healthy alliance with your patient. However, I do ask you to:

   A. Notify me if you need to make a Child Abuse Report or a "Duty to Warn" Report;

   B. Notify me if suicide potential is a serious concern;

   C. Monitor patient's compliance with the Clergy Performance Improvement Plan;

   D. Keep me informed of necessary work restrictions or other problems as they arise.

5. Reimbursement for Services: Please submit billing statements in a timely manner to the patient's health insurance provider (the RETA Plan). Be sure to include your Social Security # or Tax I.D. # on the claim. When you receive a check and/or benefit statement from the provider, send a copy of the benefit statement to this office for payment of any balance due. I look forward to working with you. Please call me if you have any questions regarding the above procedures.

5014

PACIFIC ATLANTIC ADMINISTRATORS
(415) 495-4340
(800) 877-7474

RETA
EXPLANATION OF BENEFITS

DATE 09/26/95
CHECK NO. 255311
PAGE NO. 1

EMPLOYER
ARCHDIOCESE OF LOS ANGELES

EMPLOYEE
GERALD FESSARD
REDACTED

EMPLOYEE: GERALD FESSARD
EMP. ID. NO.: REDACTED
PATIENT: E GERALD
GROUP NO: 40
LOC. CODE: 007 007-JUDICIAL VICAR
CLAIM NO: 95204188-01
ADMINISTRATOR: EXT #8624/ SL
PATIENT NO: KEPP PHD

PROVIDER	DATE OF SERVICE FROM	DATE OF SERVICE TO	CHARGES	NOT COVERED AMOUNT	NOT COVERED REM	DEDUCTIBLE &/OR COINS	CO-INSURANCE AMOUNT	CO-INS. %	TOTAL PAYABLE
ARCHDIOCESE OF	04/17	05/08/95	[redacted]				[redacted]	50	* [redacted]
ARCHDIOCESE OF	06/05	06/20/95	[redacted]				[redacted]	50	* [redacted]

DESCRIPTION OF REMARKS/BENEFITS

TOTAL BENEFIT [redacted]

RECEIVED
OCT - 2 1995
Ans'd.....

THE FACE OF THIS DOCUMENT HAS A MULTICOLORED BACKGROUND ON WHITE PAPER WITH AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES
(A CORPORATION SOLE)
C/O PACIFIC ATLANTIC ADMINISTRATORS
P. O. BOX 7407
SAN FRANCISCO, CA 94120
GROUP #40

FIRST INTERSTATE BANK OF CALIF
LOS ANGELES MAIN
707 WILSHIRE BLVD
LOS ANGELES, CA 90017

255311
16-27/ 149
1220

DATE 09/26/95
AMOUNT ******[redacted]*

CHECK NO 255311
CLAIM NO. 95204188-01

VOID AFTER 120 DAYS

PAY T[redacted] Dollars and 00 cents

TO THE ORDER OF
ARCHDIOCESE OF L.A.
1531 WEST NINTH ST.
CONFIDENTIAL:L. TOMACAN
LOS ANGELES CA 900151194

REDACTED

AUTHORIZED SIGNATURE

100 4/93

REDACTED

4800

MEMORANDUM

REDACTED

TO:

FROM:

DATE: October 5, 1995

RE: **PARTIAL MEDICAL REIMBURSEMENT**

Please deposit the attached check for [redacted] in Account #133-[redacted]. This represents partial reimbursement from Reta Insurance on medical expenses paid by the Archdiocese for Rev. Gerald Fessard.

enclosure

REDACTED

cc: REDACTED

4799



COPY

MEMORANDUM

TO: REDACTED

FROM: Monsignor Timothy Dyer

RE: Rev. Gerald B. Fessard

Your assistance is needed to help us in monitoring and supporting the above clergy patient.

Please complete and return the enclosed form to my office within two weeks.

Please feel free to call if you have any questions, or to include additional information as necessary.

REDACTED

Enclosure

5013

COPY

October 16, 1995

Rev. Earl Walker
Cathedral Chapel
922 South Detroit St.
Los Angeles, CA 900366

Dear Father Walker:

As I am sure your are aware, your help in monitoring Father Gerald Fessard's progress and compliance with his Clergy Performance Improvement Plan is utterly necessary, if our team approach to supporting him in the resolution of his problems is to succeed.

Thus I am attaching the first of a series (one every four months while the Plan is in place) of Pastor Progress Report forms in his regard, and I ask that you complete it and mail it back to me within two weeks. You should feel free to discuss the contents of your report with Father Fessard. Indeed, I suggest that you do so. Don't hesitate to call me if you have any questions or concerns about it.

Believe me, I do not add this lightly to the many burdens you are already carrying. I am deeply grateful for your help, and thank you for your cooperation and understanding.

In Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

Enclosure

5012

COPY

October 16, 1995

Rev. Msgr. Edward Johnson
St. Gregory Nazianzen Church
900 South Bronson Ave.
Los Angeles, CA 90019

Dear Monsignor Johnson:

As I am sure your are aware, your help in monitoring Father Gerald Fessard's progress and compliance with his Clergy Performance Improvement Plan is utterly necessary, if our team approach to supporting him in the resolution of his problems is to succeed.

Thus I am attaching the first of a series (one every four months while the Plan is in place) of Pastor Progress Report forms in his regard, and I ask that you complete it and mail it back to me within two weeks. You should feel free to discuss the contents of your report with Father Fessard. Indeed, I suggest that you do so. Don't hesitate to call me if you have any questions or concerns about it.

Believe me, I do not add this lightly to the many burdens you are already carrying. I am deeply grateful for your help, and thank you for your cooperation and understanding.

In Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

Enclosure

5011

COPY

October 16, 1995

Rev. Gerald B. Fessard
340 Norumbega Drive
Monrovia, CA 91016

Dear Father Fessard:

I hope this finds you in good health and proceeding apace with your Clergy Performance Improvement Plan.

Attached is the first of the Clergy Self-Assessment Progress Report forms that you are to complete and return to me every four months while the Plan is in place. Please fill it out and mail it back to me within two weeks.

I suggest you discuss this "self-assessment" with REDACTED, as your therapist.

Please feel free to contact me if you have any questions or concerns.

You are in my prayers, and I wish you God's blessings in this ongoing important endeavour in your life.

Yours in Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED
Enclosure

5010

Report # 1

PASTOR PROGRESS REPORT

(Please Type or Print)

Impaired Clergy Name: REV. GERALD B. FESSARD

---

1. Psychological Symptoms: Have You Noticed Any Of The Following Symptoms? (Those not checked will be assumed absent)

	Mild	Moderate	Severe
Anxiety	—	—	—
Bizarre Behavior	—	—	—
Child Abuse Potential	—	—	—
Conduct Problem	—	—	—
Danger to Others	—	—	—
Depersonalization	—	—	—
Depression	—	—	—
Disruption of Thought	—	—	—
Low Self Esteem	—	—	—
Mania	—	—	—
Obsessions/Compulsions	—	—	—
Phobias	—	—	—
Poor Interpersonal Skills	—	—	—
Sexual Disorder/Addiction	—	—	—
Sleep Disturbance	—	—	—
Somatic Reaction	—	—	—
Stress	✓	—	—
Substance Abuse	—	—	—
Suicide Ideation	—	—	—

2. Work Performance: Please Rate Him On The Following Work Related Behaviors:

	Satisfactory	Needs Improvement	Unsatisfactory
Attendance	✓	—	—
Attitude at Work	✓	—	—
On Time to Appointments	✓	—	—
Parishioner Relationships N/A	—	—	—
Personal Financial Management	✓	—	—
Personal Grooming	✓	—	—
Staff Relationships	✓	—	—
Time Management	✓	—	—
Work Load Compliance	✓	—	—
OVERALL WORK PERFORMANCE	✓	—	—

5035

3. Clergy Performance Improvement Plan:

In Compliance: ✓ Needs Improvement: ___ Not In Compliance: ___

Comments: As far As I know, he has no ministry with minors.

4. Progress: (Please describe any improvements in attitude or behavior.)
He seems to have a good attitude and looks good to me...

5. Concerns: I do not have any Concerns, since he appears to be satisfied with his living situation and ministry at the tribunal and with the Sisters.

6. Recommendations or Comments:
He should continue along the way he is going and be encouraged by this.

Earl G. Walker
Pastor's Signature

Nov. 6th, 1995
Date

(For Vicar's Office Use Only)

Reviewed by: _____ Date Reviewed: _____

Please return to:
Msgr. Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, CA 90015-1194

5036

CONFIDENTIAL

Report # 1

CLERGY SELF ASSESSMENT PROGRESS REPORT

(Please Type or Print)

Name: REV. GERALD B. FESSARD

1. Psychological Symptoms: Are You Experiencing Any Of The Following Symptoms?

(Those not checked will be assumed absent)

	Mild	Moderate	Severe
Anxiety	—	—	—
Bizarre Behavior	—	—	—
Child Abuse Potential	—	—	—
Conduct Problem	—	—	—
Danger to Others	—	—	—
Depersonalization	—	—	—
Depression	—	—	—
Disruption of Thought	—	—	—
Low Self Esteem	—	—	—
Mania	—	—	—
Obsessions/Compulsions	—	—	—
Phobias	—	—	—
Poor Interpersonal Skills	—	—	—
Sexual Disorder/Addiction	—	—	—
Sleep Disturbance	—	—	—
Somatic Reaction	—	—	—
Stress	—	—	—
Substance Abuse	—	—	—
Suicide Ideation	—	—	—

NONE OF THESE SYMPTOMS IN EVIDENCE

2. Work Performance: Please rate yourself on the following:

	Satisfactory	Needs Improvement	Unsatisfactory
Attendance	✓	—	—
Attitude at Work	✓	—	—
On Time to Appointments	✓	—	—
Parishioner Relationships	N/A	—	—
Personal Financial Management	✓	—	—
Personal Grooming	✓	—	—
Staff Relationships	✓	—	—
Time Management	✓	—	—
Work Load Compliance	✓	—	—
OVERALL WORK PERFORMANCE	✓	—	—

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5032

3. **Clergy Performance Improvement Plan: How do you rate yourself in fulfilling your recovery plan?**

In Compliance: ✓ **Needs Improvement:** ___ **Not In Compliance:** ___

Comments: I BELIEVE THE PLAN HAS HELPED ME TO FUNCTION WELL, REDUCED STRESS, ETC. I HAVE FELT NO COMPULSIONS EITHER TO DRINK OR TO ACT OUT SEXUALLY.

4. **Clergy Performance Improvement Plan Progress:**
Please describe your progress and/or adherence to the various components of your Clergy Performance Improvement Plan:

Treatment Requirements: I HAVE MAINTAINED THERAPY W/ REDACTED EVERY TWO WEEKS. THERE HAS, I BELIEVE, BEEN SATISFACTORY PROGRESS & POSITIVE RESULTS.

12 Step Self Help Program Attendance: I HAVE ATTENDED AA MEETINGS TWICE WEEKLY. HAVE NOT YET FOUND A SATISFACTORY 12-STEP MEETING ADDRESSING SEXUAL ADDICTION.

Reading Assignments: ADDICTION & GRACE - MAY

Work Restrictions: I HAVE HAD NO MINISTRY WITH MINORS. I HAVE CELEBRATED SUNDAY LITURGY IN ONLY 2 PARISHES, 1 3 TIMES & 1 ONCE.

Behavioral Changes: THROUGH THERAPY I AM MAKING PROGRESS IN MY IDENTIFYING AS A SEX ADDICT.

Spiritual: PRAYER & SPIRITUALITY ARE POSITIVE. HAVE MONTHLY PRIESTLY SUPPORT GROUP. I AM STILL LOOKING FOR A SPIRITUAL DIRECTOR.

SlfAsmtPrgrsRprt.mem
5-300

Attitude: GOOD

Medical: NO MAJOR PROBLEMS

Fitness/Health: WALKING REGULARLY IT LOST WEIGHT & FEEL FIT MOST OF THE TIME.

5. Concerns:

NONE

6. Recommendations or Comments:

I RECOMMEND CONTINUED THERAPY FOR A WHILE, AT LEAST.

Gerald B Dessaud
Signature

11-7-95
Date

(For Vicar's Office Use Only)

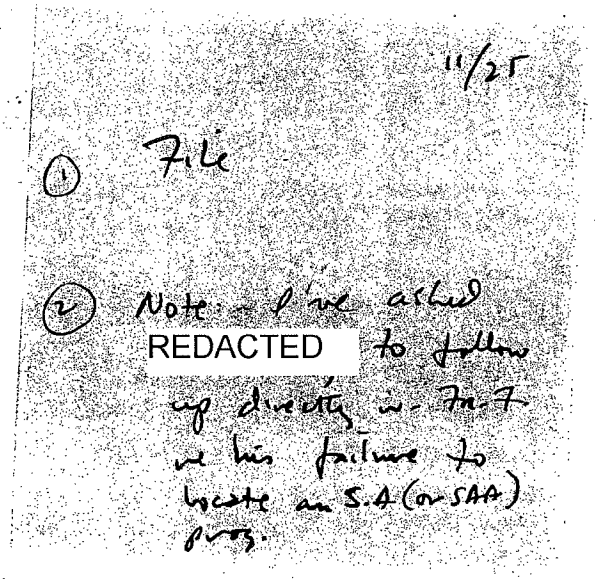
Reviewed by: REDACTED **Date Reviewed:** 12-12-95

Seem to be a full report. He needs to comply w/ some issues of priest support group and 12-Step. Alex Addiction MTGs

Please return to:
Msgr. Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, CA 90015-1194

SlfAsmtPrgrsRprt.mem
5-300

5034



11/25

(1) File

(2) Note: I've asked REDACTED to follow up directly w/ Fr. F. re his failure to locate an S.A (or SAA) prog.

Report # 1

PASTOR PROGRESS REPORT

(Please Type or Print)

Impaired Clergy Name: REV. GERALD FESSARD

---

1. Psychological Symptoms: Have You Noticed Any Of The Following Symptoms? (Those not checked will be assumed absent)

	Mild	Moderate	Severe
Anxiety	—	—	—
Bizarre Behavior	—	—	—
Child Abuse Potential	—	—	—
Conduct Problem	—	—	—
Danger to Others	—	—	—
Depersonalization	—	—	—
Depression	—	—	—
Disruption of Thought	—	—	—
Low Self Esteem	—	—	—
Mania	—	—	—
Obsessions/Compulsions	—	—	—
Phobias	—	—	—
Poor Interpersonal Skills	—	—	—
Sexual Disorder/Addiction	—	—	—
Sleep Disturbance	—	—	—
Somatic Reaction	—	—	—
Stress	—	—	—
Substance Abuse	—	—	—
Suicide Ideation	—	—	—

2. Work Performance: Please Rate Him On The Following Work Related Behaviors:

	Satisfactory	Needs Improvement	Unsatisfactory
Attendance	X	—	—
Attitude at Work	X	—	—
On Time to Appointments	X	—	—
Parishioner Relationships	X	—	—
Personal Financial Management	X	—	—
Personal Grooming	X	—	—
Staff Relationships	X	—	—
Time Management	X	—	—
Work Load Compliance	X	—	—
OVERALL WORK PERFORMANCE	X	—	—

5-pstr

5025

3. **Clergy Performance Improvement Plan:**

In Compliance: X **Needs Improvement:** ___ **Not In Compliance:** ___

Comments: _____

4. **Progress: (Please describe any improvements in attitude or behavior.)**
Gary seems to be doing fairly well in all [redacted] situations. Especially in A.A.

5. **Concerns:** None

6. **Recommendations or Comments:**

Edward J. Johnson
Pastor's Signature

27 Nov. 1995
Date

(For Vicar's Office Use Only)

Reviewed by: REDACTED Dr. ___ **Date Reviewed:** 12-12-95

OK report.

Please return to:
Msgr. Timothy Dyer
Vicar for Clergy
Archdiocese of Los Angeles
1531 West Ninth Street
Los Angeles, CA 90015-1194

5-pstr

5026

MEMORANDUM CONFIDENTIAL

TO: Msgr. Richard Loomis

FROM: Rev. Gerald B. Fessard

SUBJECT: Spiritual Director

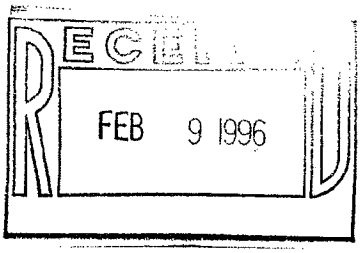
DATE: February 9, 1996

In late December, I received a letter from Msgr. Tim Dyer reminding me to select a spiritual director. He was, of course, aware that I had had one for many years, but that I had been searching for a director since the appointment of REDACTED REDACTED REDACTED took him away from us. Tim asked that I let you know when I had found a new spiritual director.

I am therefore advising you that I now have REDAREDACTED as my spiritual director. I will be meeting with him shortly.

Best wishes and prayers as you endeavor to sit securely in your new saddle . . .

4798



RECOVERY IN MINISTRY CONTRACT

MINISTRY UNDER PASTOR'S SUPERVISION

Supervisor: Monsignor Chris van Liefde
Supervisee: Reverend Gary Fessard

PREAMBLE: **This document is written following a ten year period of continuous sexual abstinence on the part of Gary Fessard, a letter from his psycotherapist attesting to his personal work and readiness to assume greater responsibility in the manner suggested below,** REDACTED REDACTED REDACTED **Moreover, it is intended that this be reviewed by the Sexual Abuse Advisory Board to the** REDACTED **for their advice and approval before it is sent to the cardinal for his *placet***

TERMS:

1. **Supervisor will be apprised of the nature and history of behaviors which require supervision. The Supervisor will provide a confirmation of Supervisee's continuing alcohol and sexual sobriety both by being on site and by askingthe supervisee as needed,and/or reporting any questionable behavior to the Office for the** REDACTED

2. **Supervisee will provide ministry in two areas: the sacrament of reconciliation and Eucharist**

3. **Living arrangements for the Supervisee will remain the same, i.e. a convent of retired sisters.**

4. **Every ninety days the Supervisor will fill out and sign a form provided by the** REDACTED **; office to indicate compliance to this contract as well as to express concerns if necessary. He may also make appropriate recommendations.**

5. **Three times a year there will be a meeting with the supervising pastor,** REDACTED REDACTED **or his delegate, Father Fessard and appropriate staff to discuss Father Fessard's growth.**

6. **All Archdiocesan policies are to be observed. The Supervisor will monitor these.**

7. **It is expected that Father Fessard will continue in his twelve-step programs and grow from them spiritually.**

8. **Conversely, if Father Fessard relapses during this period of one year, the contract ceases and involvement in ongoing ministry in a single parish will be terminated.**

This contract is in force for year from:

Signatures:

RECOVERY IN MINISTRY CONTRACT

MINISTRY UNDER PASTOR'S SUPERVISION

Supervisor: Monsignor Chris van Liefde
Supervisee: Reverend Gary Fessard

PREAMBLE: **This document is written following a ten year period of continuous sexual abstinence on the part of Gary Fessard, a letter from his psycotherapist attesting to his personal work and readiness to assume greater responsibility in the manner suggested below,** REDACTED
REDACTED
REDACTED
REDACTED
Moreover, it is intended that this be reviewed by the Sexual Abuse Advisory Board to the Vicar for Clergy for their advice and approval before it is sent to the cardinal for his *placet*

TERMS:

1. **Supervisor will be apprised of the nature and history of behaviors which require supervision. The Supervisor will provide a confirmation of Supervisee's continuing alcohol and sexual sobriety both by being on site and by askingthe supervisee as needed,and/or reporting any questionable behavior to the Office for the Vicar for Clergy.**

2. **Supervisee will provide ministry in two areas: the sacrament of reconciliation and Eucharist**

3. **Living arrangements for the Supervisee will remain the same, i.e. a convent of retired sisters.**

4. **Every ninety days the Supervisor will fill out and sign a form provided by the Vicar for Clergy's office to indicate compliance to this contract as well as to express concerns if necessary. He may also make appropriate recommendations.**

5. **Three times a year there will be a meeting with the supervising pastor, Vicar for Clergy or his delegate, Father Fessard and appropriate staff to discuss Father Fessard's growth.**

6. **All Archdiocesan policies are to be observed. The Supervisor will monitor these.**

7. **It is expected that Father Fessard will continue in his twelve-step programs and grow from them spiritually.**

8. **Conversely, if Father Fessard relapses during this period of one year, the contract ceases and involvement in ongoing ministry in a single parish will be terminated.**

This contract is in force for year from:

Signatures:

RECOVERY IN MINISTRY CONTRACT

MINISTRY UNDER PASTOR'S SUPERVISION

Supervisor: Monsignor Chris van Liefde
Supervisee: Reverend Gary Fessard

1. **This contract is the result of 2½ years of sobriety from alcohol and ten years of sexual sobriety, the review and recommendation of his therapist, and the review and approval of legal and canonical counsel.**

2. **Supervisor will be apprised of the nature and history of behaviors which require supervision. The Supervisor will provide a confirmation of Supervisee's continuing alcohol and sexual sobriety.**

3. **Supervisee will provide ministry in two areas: the sacrament of reconciliation and Eucharist**

4. **There will be face to face contact between Supervisor and Supervisee when providing the above ministry. This means that the Supervisor will be on site.**

5. **Living arrangements for the Supervisee will remain the same, i.e. a convent of retired sisters.**

6. **Every ninety days the Supervisor will fill out and sign a form provided by the Vicar for Clergy's office to indicate compliance to this contract as well as to express concerns if necessary. He may also make appropriate recommendations.**

7. **Three times a year there will be a meeting with the supervising pastor, Vicar for Clergy or his delegate, Father Fessard and appropriate staff to discuss Father Fessard's growth.**

8. **All Archdiocesan policies are to be observed. The Supervisor will monitor these.**

9. **It is expected that Father Fessard will continue in his twelve-step programs and grow from them spiritually.**

10. **Conversely, if Father Fessard relapses during this period of one year, the contract ceases and involvement in ongoing ministry in a single parish will be terminated.**

This contract is in force for one **year from:**

Signatures:

5009

RECOVERY IN MINISTRY CONTRACT

MINISTRY UNDER PASTOR'S SUPERVISION

Supervisor: Monsignor Chris van Liefde
Supervisee: Reverend Gary Fessard

PREAMBLE: **This document is written following a ten year period of continuous sexual abstinence on the part of Gary Fessard, a letter from his psychotherapist attesting to his personal work and readiness to assume greater responsibility in the manner suggested below, the inquiry of a doctor of Canon Law on the aptness of the foregoing from the perspective of that body of knowledge and prescriptions; and from a civil lawyer who would present concerns relating to liability and negligence on the part of the Church in so sponsoring this petition. Moreover, it is intended that this be reviewed by the Sexual Abuse Advisory Board to the Vicar for Clergy for their advice and approval before it is sent to the cardinal for his *placet***

TERMS:

1. **Supervisor will be apprised of the nature and history of behaviors which require supervision. The Supervisor will provide a confirmation of Supervisee's continuing alcohol and sexual sobriety both by being on site and by asking the supervisee as needed, and/or reporting any questionable behavior to the Office for the Vicar for Clergy.**

2. **Supervisee will provide ministry in two areas: the sacrament of reconciliation and Eucharist**

3. **Living arrangements for the Supervisee will remain the same, i.e. a convent of retired sisters.**

4. **Every ninety days the Supervisor will fill out and sign a form provided by the Vicar for Clergy's office to indicate compliance to this contract as well as to express concerns if necessary. He may also make appropriate recommendations.**

5. **Three times a year there will be a meeting with the supervising pastor, Vicar for Clergy or his delegate, Father Fessard and appropriate staff to discuss Father Fessard's growth.**

6. **All Archdiocesan policies are to be observed. The Supervisor will monitor these.**

7. **It is expected that Father Fessard will continue in his twelve-step programs and grow from them spiritually.**

5007

8. **Conversely, if Father Fessard relapses during this period of one year, the contract ceases and involvement in ongoing ministry in a single parish will be terminated.**

This contract is in force for year from:

Signatures:

RECOVERY IN MINISTRY AGREEMENT

MINISTRY UNDER PASTOR'S SUPERVISION

Supervisor: Monsignor Chris van Liefden
Supervisee: Reverend Gerald Fessard

PREAMBLE:

The decision to enter into this agreement was reached in light of the following considerations:

a. The Reverend Gerald Fessard has continuously maintained sexual abstinence for a period of ten years. and abstinence from alcohol for the last two years

b. During that period of time he has demonstrated fidelity to his twelve-step recovery programs, spiritual direction and psycho-therapy.

c. Furthermore, duly taking into consideration the nature of his sexual dysfunction and the progress that he has made and continues to make in his various recovery programs, a favorable report has been received from the Reverend Gerald Fessard's psychotherapist attesting to the latter's readiness and capability to assume further pastoral duties in the manner and under the conditions and safeguards indicated below.

Wherefore, considering the well being of the People of God of the Archdiocese of Los Angeles as well as the rights under Canon Law of the Reverend Gerald Fessard, and subject to the review, approval and recommendations to be made to the Vicar for Clergy by the *Sexual Abuse Advisory Board* before it is sent to the Cardinal for his *placet*, it is agreed as follows:

TERMS:

1. This agreement is in effect for a period of one year from the date hereof.

2. The Reverend Gerald Fessard, hereinafter referred to as the ***Supervisee***, will exercise ministry in a single parish in the following two areas only: the Sacrament of Reconciliation and the Eucharistic Liturgy.

3. Living arrangements for the Supervisee will remain the same; namely, in a non-parochial setting.

4. The Pastor of the parish, the Reverend Monsignor Chris van Liefden, hereinafter referred to as the ***Supervisor***, will be apprised of the nature and history of the inappropriate conduct that has given rise to this supervised assignment.

5. The Supervisor will verify the Supervisee's continuing alcohol and sexual sobriety as follows:

   a. The Supervisor will be on site at all times during the Supervisee's parish ministry.

RECOVERY IN MINISTRY AGREEMENT: Rev. Gerald Fessard

b. The Supervisor will question and/or bring to the Supervisee's attention any conduct inconsistent with the latter's alcohol and/or sexual sobriety.

c. The Supervisor will immediately report any serious violation of the Supervisee's alcohol/sexual sobriety or other questionable behavior to the Office of the Vicar for Clergy.

6. The Supervisor will fill out and sign every ninety days a form provided by the Office of the Vicar for Clergy, wherein he is to evidence the Supervisee's compliance or failure to comply with this agreement and/or to express any concerns that the Supervisor deems important. The Supervisor may also make any suggestions or recommendations that he believes are warranted.

7. A meeting will be scheduled three times per year by the Vicar for the Clergy between himself or his delegate, the Supervisor, the Supervisee and other appropriate personnel to discuss the Supervisee's growth and development. especially with respect to Mons

8. The Supervisee is to observe all Archdiocesan policies and guidelines. His observance of these will be monitored by the Supervisor.

9. The Supervisee is to continue with his twelve-step programs and his program of spiritual direction so as to assure his continued spiritual growth as he maintains sobriety and psycho-sexual health.

10. Should the Supervisee violate any of the terms herein, engage in any conduct seriously inconsistent with his programs of recovery, or relapse at any time during the period that this agreement is in effect, the agreement will be deemed to be immediately null and void and any and all parish ministry will terminate forthwith.

Date: _____

SEAL

_____
Reverend Gerald Fessard

_____
Reverend Monsignor Richard Loomis

5006

RE: Gerald Flessard

We met on July 25, 1996

① Called his therapist with release and she will write a closing note with progress & recommendations

② Asked Gerald to find Pastor/supervisor; he is thinking @ Kirk

③ Need to get reports from work, Spv. div., et al

Archdiocese of Los Angeles

Office of Vicar for Clergy (213) 251-3284 | 1531 West Ninth Street | Los Angeles California 90015-1194

AUTHORIZATION FOR

RELEASE OF CONFIDENTIAL INFORMATION

REV. REDACTED

I hereby authorize Reverend ~~Monsignor Richard Loomis, Vicar for Clergy,~~ to receive all information requested. Such information may include otherwise confidential information such as clinical data, conclusions, and recommendations. In consideration of such disclosure, I hereby release

REDACTED

in your individual and institutional capacity from any and all liability arising from the disclosure of otherwise confidential information.

THANK YOU

Signed: Gerald B Fessard

Printed name: GERALD B. FESSARD

Social Security #: REDACTED

Date: July 25, 1996

4797

$\boxed{\text{19-22 yrs}}$

awareness

knowledge

27-41 yrs.

$\boxed{\text{all asleep}}$

12-16 yrs

motivation

resources

as opportunities presented

→ return - need

→ recovery +

REDACTED

Nonnovia - Immaculate Conception

① Same living situation

② weekend supply call under pastoral supervision

③ No rush

no changes

Annunciation / Arcadia

group therapy - R.C. Catholic

REDACTED

group

Jesuit Springs

4796

CONFIDENTIAL

DRAFT

August 21, 1996

To whom it may concern:

I have been asked to write a sort of self-evaluation in connection with a proposed change of the "Agreement" drawn up between myself and the Archdiocese of Los Angeles.

I have been dealing with an issue of child sexual abuse and addiction since April, 1987. Thanks to the grace of God and a combination of inpatient (6-months treatment with the Servants of the Paraclete, Jemez Springs, New Mexico July 1-December 15, 1987) and outpatient individual and group therapy (January, 1988-August, 1989, June, 1993-June, 1994, and January 1995-present), I have come to understand a great deal about this addiction and have been able to maintain sobriety from acting out since April, 1987. In addition, I have participated in a 12-step recovery program dealing with sexual addiction (Sex Addicts Anonymous) through weekly meetings and working the steps since February, 1995. I have also maintained regular contact with a spiritual director. My lifestyle has achieved what I believe is a healthy balance of prayer, work, socializing, physical exercise, rest and relaxation.

I wish to state that the abuse of which I am guilty, my sexual addiction, at various times and varying frequencies and situations, has been touching of minors sexually while they were asleep [or, I should say, when I believed them to be asleep]. I state this both to identify the behavior, to admit that I engaged in it, and to give it a context and a clear description and limit. I have come to realize the harm I have done to many young people over the past thirty years of my life, the responsibility I bear for this harm, and I have taken these steps as ways of making amends, at least partially, for what I have done. While I know that it is an illness from which I suffer that has accounted in large part for the abuse of young people who had placed their trust in me, this does not take away the responsibility I have both to own the hurt I have caused, to seek their forgiveness when and how this may be possible without further harm to others, and to seek to insure that I do not repeat this destructive behavior in the future. I believe that, over the past nine years, I have taken steps to meet all of these goals and have made significant progress in each of them.

Thanks to these various programs, and with the assistance of a program of recovery from the addiction of alcoholism, which I address in the following paragraph), I have come to believe and to demonstrate that I am no longer at risk of acting out sexually, and I am not at present a threat to minors.

My recovery from my sexual addiction was impeded by a failure to treat early on my addiction to alcohol. I became aware of this through an incident of drunkenness and a subsequent intervention in August, 1994. Since a 28-day rehabilitation treatment in a chemical dependency center in Marina del Rey, and subsequent involvement in individual therapy and participation in AA, I have learned the effects of my alcoholism on my sexual addictive behavior and disease, and particularly how they have fed one another over the years. I believe that with continued involvement in 12-step recovery programs, I will be able to continue my recovery from these diseases and to function effectively and in good health in priestly ministry. That is both my hope

CONFIDENTIAL DRAFT

and my sincere desire.

Following a psychological evaluation conducted by the staff of St. Luke's Institute in late 1994, I entered into an Agreement with the Archdiocese regarding the terms of my priestly ministry and detailing suitable living arrangements and therapeutic and recovery safeguards which would maximize my potential for growth and minimize the risk of my acting out sexually.

Under the terms of this Agreement, I am presently living in a non-parochial setting in which there is no contact with minors. My ministry is not to include ministry to minors, and I have remained faithful to this understanding. Likewise, I have conformed to the guidelines of the Archdiocese with respect to contact with minors, as reiterated in the Agreement. I am comfortable with these conditions and limitations, and would like my present living situation to remain as is, at least for the duration of my current full-time pastoral assignment.

I have also maintained to the present time the biweekly individual therapy called for in the Agreement, and have generally been faithful in attending two AA meetings and one SAA (Sex Addicts Anonymous) meeting each week.

One other aspect of the Agreement entered into with the Archdiocese limited my celebrating Sunday Mass in any given parish to four times per calendar year. It was stated to me that this provision was put in place to insure that I would not have occasion to "develop a rapport" with a minor.

Since the Agreement drawn up with the Archdiocese in February, 1995, I have undergone individual therapy every two weeks. I have benefited from this therapy, as I believe my therapist will attest. At this point, I have reached a "plateau" and a point of decision-making with respect to the value of and need for continued individual therapy. After consultation with my therapist, my spiritual director, and others in the field of mental health and chemical dependency with whom I work closely and regularly, I have concluded that my recovery at this stage would be best assisted by involvement in a regular program of **group** therapy, perhaps a group of priests who are in recovery from similar issues. I would like to propose that the therapeutic component of my recovery program be adapted to include this group model in place of individual therapy. Perhaps an annual or bi-annual session with an individual therapist would help to maintain my progress in this area.

I would also request that the Agreement be amended to drop the limitation on Sunday Mass celebration in a given parish. This is for three reasons: first, that the nature of my addictive behavior, the record of my recovery to date, and the restrictions on my contact with minors at all times, makes the "development of a rapport with a minor" in which at least one adult would not be present in a parochial Sunday setting most unlikely. Secondly, this would give me an opportunity to be of greater service to pastors in a time of growing priest shortage, while not being at risk. I have been asked by numerous pastors to help on an occasional basis to fill in for vacations, etc. and it has proven awkward at times to decline when the "magic number 4" has

CONFIDENTIAL DRAFT

been reached.

Thirdly, amending the Agreement in this way would afford me an opportunity at some point in the near future to accept the request of a pastor to serve as a regular "Sunday supply priest" where there is need. This could be done in a parish whose pastor would be willing to take on the added responsibility of serving as my close supervisor, to whom I would have a special accountability, who would monitor my behavior in the parochial setting, and who would provide reports to archdiocesan authorities on a regular basis. I realize this pastor would have to be selected quite carefully, the situation worked out to assure safety of others as well as privacy and confidentiality, and I would be closely supervised. I am willing to accept these conditions, as a means both of fostering my hoped-for return to full ministry in the future, as my recovery may warrant, and of providing a model for a protocol of reinstatement in ministry for other priests whose condition may make such possible.

I am aware that, as a recovering alcoholic and sex addict, I am and will always be a "risk," since these diseases by their very nature are progressive, and relapse is always possible. Nonetheless, based on the types of behaviors involved, the success of my recovery to date, my commitment both to ministry and to appropriate safeguards, and the accountability built into the process, I believe that the above requests are justified, the prospects of successful outcome promising, and the accompanying risks worth taking.

Respectfully submitted,

4795

CONFIDENTIAL

MEMORANDUM

TO: Fr. REDACTED

FROM: Fr. Gerald B. Fessard, J.C.L.

SUBJECT: Attached Letter

DATE: August 22, 1996

REDACTED this is a draft of the proposal you asked me to write. I'd welcome your comments and suggestions for refinement, editing, etc.

I hope it encompasses what you were interested in getting. It may be longer than needed for our purposes. Also, you may feel that the next-to-last paragraph should not be included, if not in keeping with your strategy or my best interests. Please let me know if and how this should be changed, and I will get a final copy to you soon.

Thanks for your help . . .

4792

REDACTED

REDACTED **REFERRAL MEMORANDUM from** REDACTED
REDACTED

TO: **DATE:** 4/1/97

( ) Please **REVIEW**, then **SEE ME**
( ) Please **REVIEW**, then **RETURN** to me
(✓) Please **REVIEW**, then **SEND** me your **COMMENTS**
( ) Please **REVIEW**, then **FILE**

( ) Please **HANDLE** this matter **ENTIRELY**
( ) Please **ANSWER**; send copy of letter to me
( ) Please **WRITE A REPLY** for my signature
( ) For your **INFORMATION**
( ) Please **XEROX - FAX** and send copy/copies to:

Original to: ( ) File ( ) Back to me ( ) _____

REMARKS: Please note that Jay does not feel comfortable with your thinking this before the Advisory Board until he & I have reviewed it! Call me before you do!!!

5024

TOPIC: REDACTED

DATE:

FILE UNDER: Fr. Gary Tessard

PAGE:

8 OR 9 - 39 NOW
2 mo's - 8/25 - MEM SURFACED
AT HIS HOUSE, IN BED @ DINNER PARTY
FONDLING ONE WAY, PRETEND ASLEEP.
NO CONVERSATION - PULLED MY PENIS.
PARALYZED W/ FEAR (MINUTE? 5? LONGER?
NO OTHER REASON OTHER THAN
TENDENCIES TOWARD CM
+ KNEW CHILDREN DOWNSTAIRS.

BRO. ON PHONE RECOUNTING CHILDHOOD
DREAM
JUST AFTER BREAK-UP
PARALLEL REALITY SURFACED

2 OTHERS NOT PRIESTS - SEP. INSTANCES

REDACTED

OFFICE

old work - REDACTED

home

REDACTED

Info on family camp; not for this record

REDACTED

REDACTED

REDACTED

REDACTEL

4785

Action

Dates

Signatures

9/9/97

Meeting with REDACTED **at St. Charles, N. Hollywood**
October 27, 1997 - - approximately 11:30 am

REDACTED recounted that when he was 8 or 9 years old, his home was very open to people from the entertainment industry. There were three times that he was molested by visitors to his home - one of these by a priest.

Concerning Father Fessard:
During a dinner party held by his parents, he was in bed in the other part of the house. The priest came into his bedroom and pulled back the covers and fondled him, pulling on his penis and masturbating him. There was no further activity and no conversation. REDACTED feigned sleep and was paralyzed with fear. He has no idea how long this went on (a minute, five minutes, longer?). It was a single instance with this priest.

There would have been no reason for him to come into the room other than tendencies toward child molestation and that he knew the children were downstairs.

This memory came back to him through a phone conversation with his brother on August 25th. His brother told him of a weird dream he had had recently about their childhood which included this scenario. As he recounted the dream, the memory surfaced and Steve was paralyzed with the reality that it was not a dream - at least for him.

Though REDACTED has sought advice from the police, his concern is that others would not be hurt - not the destruction of lives.

I assured REDACTED *that Father was not in parish ministry and that I would speak with him about the matter. Following that, I would get back in touch with him.*

REDACTED

Summary of phone conversation withREDACTED **11/6/97 - 8:00 pm**
Regarding Father Gary Fessard

My position when we spoke at Saint Charles:
- did assure you Father was in special ministry, not with young people
- couldn't say more at the time
- Father wants me to reveal to you of the following
  - (making himself vulnerable to reassure you):

Father is in special ministry
- in office work
- lives w/ retired nuns as their chaplain
- helps in parishes mostly on weekends and only occasionally due to need
- no work with minors

Father has been through extensive treatment
- for sexual addiction and alcohol abuse
- has been completely cooperative
  - residential
  - ongoing therapy
  - 12 Step therapy
- has 10 year history with no acting out

opinion of treatment team is that
- with support (living situation, special ministry, accountability)
- he does not present a danger to others
- Father is willing to allow you to speak with a professional
  - who is conversant with his recovery
  - can explain the treatment

Father has no recollection of the incident (I believe him - black outs?)
- but is willing to assist in healing
- by helping with therapy costs

REDACTED *declined the need for further contact (e.g. with Father's therapist, applauded Father's courage in facing his problems, wishes him his best, does want help with therapy in dealing with the specific issues of molestation (approximately from August through early December).*

I assured him we would help set that up and asked him to send me bills and the name, address and phone of his therapist. He agreed

The following day I contacted Father Fessard and he was relieved and agreed to the request for therapy.

REDACTED

MONSIGNOR RICHARD LOOMIS
ST. CHARLES BORROMEO CHURCH
10828 MOORPARK STREET
NORTH HOLLYWOOD, CALIFORNIA 91602

MAY 1, 1998

DEAR MONSIGNOR LOOMIS,

IN REGARD TO OUR CONVERSATION LAST FALL IN WHICH YOU HAD MADE AN OFFER ON BEHALF OF FR. FESSARD TO REIMBURSE ME FOR ANY THERAPY CHARGES ARISING OUT OF REPRESSED MEMORIES WHICH WE DISCUSSED, I AM FORWARDING THE TOTAL OF THE FEES INCURRED.

I APPRECIATE THE COMPASSION WITH WHICH YOU HAVE HANDLED THIS MATTER AND PLEASE EXTEND TO FATHER FESSARD (ANNONYMOUSLY, IF POSSIBLE) MY THANKS FOR HIS CONSIDERATION AS WELL.

REDACTED

08-25-97	
09-08-97	$
09-15-97	
09-21-97	
09-29-97	
10-13-97	
10-29-97	$
11-06-97	
11-17-97	
11-24-97	
12-04-97	
12-17-97	
12-29-97	
TOTAL	$

REDACTED MSC, CMFT, PHD.

09-05-97	$
09-08-97	$
09-10-97	$
10-02-97	$
10-09-97	$
10-16-97	$
10-20-97	$
10-30-97	$
12-11-97	$
12-14-97	$
12-31-97	$
TOTAL	

GRAND TOTAL

APPRECIATIVELY,

REDACTED

REDACTED

4780

REDACTED

Need approval thanks

MONSIGNOR RICHARD LOOMIS
ST. CHARLES BORROMEO CHURCH
10828 MOORPARK STREET
NORTH HOLLYWOOD, CALIFORNIA 91602

MAY 1, 1998

DEAR MONSIGNOR LOOMIS,

IN REGARD TO OUR CONVERSATION LAST FALL IN WHICH YOU HAD MADE AN OFFER ON BEHALF OF FR. FESSARD TO REIMBURSE ME FOR ANY THERAPY CHARGES ARISING OUT OF REPRESSED MEMORIES WHICH WE DISCUSSED, I AM FORWARDING THE TOTAL OF THE FEES INCURRED.

I APPRECIATE THE COMPASSION WITH WHICH YOU HAVE HANDLED THIS MATTER AND PLEASE EXTEND TO FATHER FESSARD (ANNONYMOUSLY, IF POSSIBLE) MY THANKS FOR HIS CONSIDERATION AS WELL.

REDACTED

08-25-97	[redacted]
09-08-97	$ [redacted]
09-15-97	[redacted]
09-21-97	[redacted]
09-29-97	[redacted]
10-13-97	[redacted]
10-29-97	$ [redacted]
11-06-97	[redacted]
11-17-97	[redacted]
11-24-97	[redacted]
12-04-97	[redacted]
12-17-97	[redacted]
12-29-97	[redacted]
TOTAL	$ [redacted]

REDACTED

09-05-97	[redacted]
09-08-97	[redacted]
09-10-97	[redacted]
10-02-97	[redacted]
10-09-97	[redacted]
10-16-97	[redacted]
10-20-97	[redacted]
10-30-97	[redacted]
12-11-97	[redacted]
12-14-97	[redacted]
12-31-97	[redacted]
TOTAL	[redacted]

GRAND TOTAL [redacted]

APPRECIATIVELY,

REDACTED

REDACTED

5089

COPY

MEMORANDUM

To: **Reverend Gary Fessard**

From: **Monsignor Richard Loomis**

Date: **May 21, 1998**

Re: **Therapy Bills**

We have received the total billing for the gentleman we spoke about earlier. His therapy came to a total of $[redacted] The Archdiocese has repaid him in full for his therapy.

By itself, this seems like a large amount. But I assure you, many cases in the past have involved five times this amount. For working with two therapists, this is quite reasonable.

May I ask that you propose to me a schedule whereby you could repay the Archdiocese the above? In the past, other priests have paid over several years.

I will be happy to discuss this with you.

5088

#11

REDACTED

Cardinal Roger M. Mahony
114 E. Second Street
Los Angeles, CA 90012

PERSONAL
CONFIDENTIAL

March 12, 2000

Your Eminence,

I want to thank you for your pastoral message on "The Way of Reconciliation," your Jubilee Lenten message. I am grateful for your inviting us all to seek the forgiveness of our brothers and sisters for the hurts we may have caused in our ministry in the Archdiocese and for your personal apologies for your own failings as well. I believe your message inspired many of us and touched many hearts. I was privileged to share your message, and that of our Holy Father, as part of my homilies today and to add my own request for forgiveness of those I may have hurt.

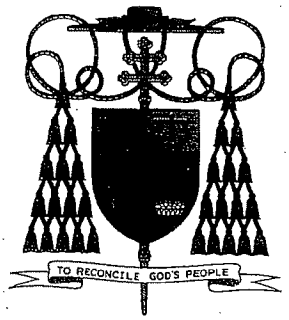
I am very aware of and deeply regret the ways I have harmed a number of people in my own life and ministry, and I only wish I could ask their forgiveness personally. You helped me to do so by speaking in behalf of all of us brother priests, and for that I am most grateful. An important part of my road to recovery is the willingness to make amends to all those I have harmed. I have tried to direct my life to that end in the past thirteen years by a more unselfish ministry and by my efforts towards wholeness and holiness. I deeply appreciate your prayers and support of me on this road.

I want to ask your forgiveness for any pain and difficulty I may have caused you as my Archbishop through my failings and shortcomings, past and present. I am grateful for your continual confidence in me and for the privilege of collaborating with you in our priestly service of God's people here in Los Angeles. I pray that God will continue to bless us abundantly in this Jubilee year and always. May God reward you for your dedicated service as our Chief Shepherd.

Fraternally in Christ,

254400

#12



3424 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90010-2241

March 22, 2000

OFFICE OF THE CARDINAL

Reverend Gerald Fessard
REDACTED

PERSONAL AND CONFIDENTIAL

Dear Gary:

Thank you very much for your kind and thoughtful letter of March 12, 2000.

This jubilee year certainly affords us the opportunity to reflect on the immense generosity of God's love and mercy in our lives, and to help us extend that loving mercy by sharing pardon and forgiveness with each other.

I was humbled by your own words of apology seeking broad forgiveness from many people. Your generous and courageous expression of apology is deeply appreciated, and I certainly accept that apology on behalf the Archdiocese of Los Angeles and any whom you may have harmed along your priestly journey.

These are days of very special grace for all of us, and it is very liberating when we can extend forgiveness without limitation one to another.

Assuring you of my own continuing prayers and support in your priestly life and ministry, and with kindest personal regards, I am

Fraternally yours in Christ,

+ Roger

His Eminence
Cardinal Roger Mahony
Archbishop of Los Angeles

REDACTED

254401

Loomis, Msgr. Richard A.

From: Gerald Fessard REDACTED
Sent: Thursday, July 13, 2000 10:28 PM
To: REDACTED
Subject: Thanks

Thank you for the meeting this afternoon, Dick, and I wish you well as you begin to surrender the burdens of office. You have done a good job, and I thank you for your support and advice.

Being and working in the rather close confines of the ACC, I am a little sensitive and concerned about my reputation and good name there, particularly as I apparently will be expected to remain for some time. I therefore appreciate whatever you can do to smooth things along in that respect.

I will also be grateful if you can put in a good word with the Cardinal "in the spirit of Jubilee" in the matter of the loan.

God bless, and thanks--

Gary

5054

MEMORANDUM CONFIDENTIAL

FILE

To: Cardinal Roger Mahony

From: Monsignor Richard Loomis RLL

Fessard C-file

Date: Thursday, September 14, 2000

Re: Father Gerald Fessard

Father Fessard is asking if you would consider a remission of the debt he owes for therapy for victims "in the spirit of the Jubilee."

I told him the only way that it might be considered is as a remission for everyone in a similar situation. He asked that I put this to you.

I recommend against it. Sister [REDACTED] also thinks that the regular reminder of having to pay for a victim's therapy is an ongoing support to recovery.

I concur -

- RML

9-15-00

5052

MEMORANDUM

FILE

To: **File**

From: REDACTED

Re: **Reverend Gary Fressard**

Date: **November 2, 2000**

Monsignor Richard Loomis reported to me that he had recently met with Father Gary Fressard regarding an incident after a mass, which Father Fressard celebrated at Epiphany Church approximately two weeks ago. Monsignor Loomis asked me to contact the Pastor of Epiphany Church, Father REDACTED regarding this incident.

In my conversation with Father REDACTED this morning, he informed me that approximately two Sundays ago, a young man approached him after the 11:00 am mass that Father Fressard celebrated. He stated that this person who was approximately 24 years old, informed him that Father Fressard was a "Child molester." The man was quite agitated and told Father REDACTED that he was a student at Queen of Angeles Seminary while Father Fressard was on staff. He reported that he knew that Father Fressard took a group of seminarians to his cabin and "molested them." "He played with their balls and did all sorts of things to them." He wanted to know why Father Fressard was allowed to say mass.

Father REDACTED informed the man that he did not know any information regarding this situation, but was of the belief if something of that nature had occurred, he was sure that the Archdiocese would have taken care of any difficulties that may have followed to allow Father Fressard to say a public mass. This person informed Father REDACTED that two of the boys involved in the cabin trip were parishioners at Epiphany, and one of them lived REDACTED away from the church.

Later that day, the music director at the parish spoke with Father REDACTED and informed him that a young man had assisted them with the music ministry during the 11:00 mass. This man had identified Father Fressard as a "Child Molester." The music director stated that as soon as the man saw Father Fressard enter the church, he became very animated and repeatedly told him that Father was a "Child Molester." The director identified one choir member as overhearing this statement. Father REDACTED stated this man was the same one who approached him after mass.

4773

RCALA 003449



n One Forgive hild Molester?

BY STEPHEN J. POPE

Forgiveness is not a tactic; it is a moral act based on a religious vision.

LAST MAY THE PEOPLE OF BOSTON were stunned, angered and depressed upon being informed about yet another case of alleged child sexual abuse by someone working for the church—indeed, about what prosecutors say could be the largest child molestation case in the history of the Commonwealth of Massachusetts. Parents everywhere felt a chill run down their spines when they heard the allegations against 28-year-old Christopher J. Reardon, the director of religious education at St. Agnes Parish in Middleton.

Many 12- and 14-year-old members of the parish have accused the youth minister of molesting them in his parish office, in his home and in a gym basement. Investigators turned up incriminating videotapes made from hidden cameras he planted in the rectory, an extensive list of the names of boys that included detailed descriptions of their genitalia, and reports of various forms of sexual exploitation. In what one hopes is a gross exaggeration, the local district attorney speculates that Mr. Reardon may have molested as many as 250 boys in Middleton and nearby communities.

All of us, perhaps parents most of all, shudder to think about what would be going through our minds if this happened in our communities. These allegations concern another in a series of crimes exploiting the trust of a parish community that involves perverse forms of sexual abuse. Assuming the defendant is guilty, there is little doubt that these victims have suffered, and will continue to suffer, in profound ways for years to come.

The disgust, resentment and visceral anger we feel when hearing about these crimes is natural. The pastor of St. Agnes, of course, also felt profound revulsion at these crimes, some of which took place on the premises for which he has personal responsibility. All the more remarkable, then, that the pastor, the Rev. Jon Martin, chose to preach the need to forgive to his congregation at Sunday Mass after the allegations become widely publicized.

The headline in The Boston Globe the next day was predictable: "In Middleton, Call for Forgiveness Meets Anger." In fact, the pastor received a mixed, not a universally hostile, response. A few parishioners, and no doubt many nonparishioners, rejected the pastor's claim that forgiveness ought to be extended to the alleged perpetrator. They felt that ruthless exploitation—the premeditated, meticulously planned and repeated sexual abuse of such young human beings—is unforgivable.

Forgiveness goes to the very heart of Christianity (even if it is not always in the hearts of Christians). We know that Jesus was scandalous in his willingness to forgive sinners (Mk 2:5-10), that he never refused to forgive anyone, and that we, in turn, are supposed to forgive "seventy times seven times" (Mt. 18:22). The central Christian prayer suggests that it is not only of moral but even of religious significance: "Forgive us our sins as we forgive those who trespass against us." Yet what is forgiveness?

Forgiveness does not mean that we are supposed to give tacit approval to hurtful behavior, or "let bygones be bygones," or try to "like" the harmful person, or act as if

ART BY RENÉ CARSON

STEPHEN J. POPE is chair of the theology department at Boston College in Chestnut Hill, Mass.

CCI 000484

RCALA 003450

nothing has happened, or forsake justice, or sympathize with the criminal instead of the victim. Since "forgiveness" requires (and allows) us to set aside resentment and to give up our grudges, it is not difficult to understand why it is so easy to confuse forgiving with simply forgetting. We deliberately choose to forget petty slights because they are not important enough to disrupt a friendship. Yet genuine Christian forgiveness is not a tactic for ameliorating social friction; it is a focused moral act based on a religious vision.

According to St. Thomas Aquinas, Christians are required to regard others with *caritas*, "charity," "the effective willing of the good of the other." This kind of love extends not only to nice people and our loved ones but even to those who have seriously harmed innocents. This is why, for example, the pope recently visited Rome's oldest prison to celebrate Mass for incarcerated murderers, thieves, rapists and drug dealers.

To "forgive" in the Christian sense, then, means to make a twofold decision. Negatively, it means to renounce hatred and the desire to destroy; positively, it means to will what is morally good to one who has been harmful. To will what is "good" means what is morally good for the other, not pleasures and rewards. Certainly this includes the offender's correction. It also means, religiously, that the other be brought back to God. Far from being cheap and easy, this more demanding form of forgiveness aims not only at a change of external behavior, which is often hard enough, but also, and more radically, a change of heart and mind. Whether it is attainable in all cases may be in doubt, but Christian forgiveness intends healing and transformation.

To "forgive" criminals includes wanting them to take responsibility for the terrible harm they have done to their victims. This includes confessing to the harm—as reports indicate Reardon may already have done—feeling contrition for it, making an uncompromising commitment not to repeat it, accepting willingly a punishment appropriate to the crime. In some cases, as references to the jubilee year have indicated, forgiveness does indeed mean absolving another of a debt, but in other cases it requires appropriate payment. So forgiveness does not exclude limiting the criminal's freedom either through incarceration or other means that prevent the repetition of such criminal behavior in the future. Christian love demands forgiveness, but it also demands making sure the criminal does not harm another person. Asking for forgiveness, conversely, may also include undertaking a commitment to making the most of a long term in prison. (This view of forgiveness also requires a system of criminal justice that is concerned for genuine rehabilitation, but that topic cannot be developed here.)

Child molestation, of course, is more complicated than some other crimes because of the psychopathology that often underlies it. One of the senior members of St. Agnes parish acknowledged this w. he said that his fellow parishioners are starting to realize that Reardon is "sick." This is not the first time that a church has suffered from the presence of this or other sicknesses of a sexual nature.

Critics worry that applying "disease" imagery to a sexual predator removes all accountability—after all, we don't punish people for getting the flu. Yet human responsibility is a complex spectrum with subtle shades of gray, not a black-and-white, "either you have it or you don't," reality. Naïvely denying that the freedom of "sick" people is in any way compromised is just as unhelpful as is the fatalistic assumption that our actions are completely determined by our genes. Both extremes massively oversimplify human nature by ignoring the fact that we all experience limited degrees of freedom within constraining conditions. Describing someone as "sick" does not excuse or pardon the person—it only acknowledges the depth of the disorder.

This is not to say that forgiveness is always completely attainable or that we can easily overcome the visceral power of anger by a simple act of the will. We are "spiritual beings," Archbishop Desmund Tutu reminds us, but we are also "psychological beings." Parents are well aware of the power of emotions when it comes to protecting children. The key *ethical* ingredient, however, is not how we would feel instinctively about someone who abused our child. Morality does not ask that we have our limbic systems surgically removed. Christian morality asks that we make the deliberate *decision*, or, really, the commitment to decide over and over again, to extend good will to one who has done evil.

It is thus one thing to admit realistically that in some cases the ethical ideal may be very difficult to achieve, and another to claim that we have no obligation whatsoever to accomplish it. Those who regard child molestation as "unforgivable" take the latter avenue.

To offer forgiveness in the face of so much human pain and anguish is, from a Christian standpoint, both required and heroic. It is required, in the most fundamental sense, because God loves *all* human beings, including even those whose acts are the most abominable. No human being is utterly beyond redemption.

We all seem to share an innate tendency to assume that forgiveness is granted selectively, only for "light" sins like petty theft, telling white lies and the like, and not for the truly evil crimes done out of malice or callous indifference to human suffering. We like to assume that our relatively mild immorality is forgivable, while that of child molesters cannot be forgiven because of the gravity of their evil. This reflects a special temptation we have to separate the "righteous" from the "sinners"—and to ensure that we belong to the former group.

4771

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RCALA 003451

Yet though motivated by self-flattery, t. a moral exceptionalism does signal the genuine insight that there is a difference between the kinds of harm we do to one another. The problem with this conventional moral sorting of "us" and "them" is not only the self-serving manner in which we rig it to make sure that we always end up on the side of goodness. It also errs, and much more seriously, in the way it ignores the universality of human dignity. From a Christian standpoint—and this is the most shocking claim of all—God affirms the worth of child molesters and other aggressors as much as that of Mother Teresa or Pope John Paul II. And because God affirms unconditionally the worth of every person, we have no right to forsake anyone—no matter how despicable his or her acts. The circle of God's love, then, includes Slobodan Milosevic, Saddam Hussein and Augusto Pinochet.

From a common sense perspective, this message is, of course, absolutely outrageous; so we should not be surprised that it is negatively received on talk radio and in the media. But as the prophet Isaiah reminds us, God's ways are not our ways. It is an interesting facet of human nature that we can denounce the message while also admiring the acts of its advocates, such as the late Cardinal John O'Connor's concern for those dying of AIDS, Jean Vanier's devotion to the mentally handicapped or Mother Teresa's solicitude for the destitute and dying of Calcutta.

It is, admittedly, not particularly difficult to revere acts of compassion on behalf of those who suffer. Yet the same motivation underlies the Christian response of love to aggression, as in John Paul II's forgiveness of his attempted assassin or the late Cardinal Joseph Bernardin's forgiveness of the man who accused him of sexual abuse or Nelson Mandela's emerging from 27 years in prison with a message of peace and reconciliation. It is, of course, easier for all of us to appreciate noble moral ideals from afar than to apply them concretely, or even see their relevance, to our own lives.

We regard forgiveness as especially heroic when it has to overcome the powerful emotions we all feel when people we love and want to protect have been gravely hurt. Anger, properly channeled, can even be a good thing when it drives us to work for justice. Yet anger as a spontaneous emotion has to be distinguished from hatred, which is a series of choices that eventually become

President
Catholic Charities USA

The Organization

Catholic Charities USA—the largest private network of social service organizations in the United States—works to support families, reduce poverty, and empower communities.

Located in Alexandria, VA, Catholic Charities USA seeks a highly qualified person to succeed the current president by late summer 2001. The national service center, with a staff of 55, provides leadership and support to 1,400 local agencies and institutions. These agencies serve nearly 10 million persons each year, regardless of religious, ethnic, racial, or social background.

The President

The president is responsible for the overall direction of the Catholic Charities movement and the administration of the national service center, following policies determined by the Board of Trustees and the membership. The president also maintains relationships with Catholic and other national and governmental groups, and serves as the spokesperson for Catholic Charities USA.

Special Qualifications

- A leader adept at articulating the organization's mission, and inspiring and encouraging others to participate in the goals and objectives of Catholic Charities USA.
- An executive leader with proven effectiveness in administration and management, including human resources, budgetary supevision, and resource development.
- A commitment to Catholic social teaching in professional and personal life.
- Substantive experience in or related to Catholic Charities in organizational development and program planning, implementation, and evaluation.
- A commitment to further the organization's strategic plan, *Vision 2000*.
- Skills in resource development.
- A master's degree in social work or in a closely related field with knowledge of social justice, plus formal and extensive knowledge of Catholic doctrine and social teaching.
- Ability to travel extensively

Application Process

Screening of candidates will begin immediately. Responses are requested by Dec. 31, 2000.

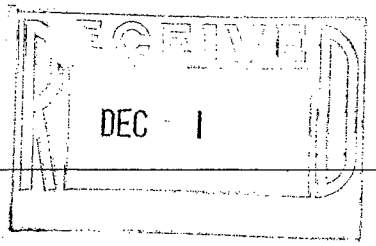
Send a letter detailing qualifications with a formal résumé to:
Catholic Charities USA Search Committee
Mr. J. Thomas Mullen, Chair
Catholic Charities Health and Human Services, Inc.
1027 Superior Avenue, Second Floor
Cleveland, OH 44114

EEO

4772

CCI 000486





MEMORANDUM

FILE

c-file

To: **Msgr. Loomis**

From: **Father Fessard** Gary

Subject: **Article**

Date: November 30, 2000

Dick, I wonder if you saw the enclosed article in a recent issue of America magazine. I thought it was very well done. Perhaps you will find it useful in your ministry.

I am hoping that REDACTED will be able to make contact with the individual you and I spoke about this coming weekend. So far he has not been forthcoming.

#1

FILE COPY

Archdiocese of Los Angeles
Office of the Archdiocesan Tribunal (213) 637-7245
3424 Wilshire Boulevard
Los Angeles California 90010-2241

His Eminence Cardinal Roger M. Mahony
Archbishop of Los Angeles
Archdiocesan Catholic Center
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL

February 14, 2002

Your Eminence:

Following upon our meeting of last Tuesday, February 12, 2002, I am hereby submitting my resignation from the following offices:

Adjutant Judicial Vicar
Delegate in Matrimonial Matters
Judge and Defender of the Bond
Advocate
Notary
Chaplain to Maryknoll Sisters, Monrovia

I offer these resignations to be effective Saturday, February 16, 2002. I thank you for your confidence in appointing me to serve in these offices, and I trust that the Lord has blessed my service with some effectiveness.

Sincerely in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: Rev. Msgr. Craig A. Cox, J.C.D.
REDACTED
REDACTED

254379

Archdiocese of Los Angeles

Office of the Archdiocesan Tribunal (213) 637-7245

3424 Wilshire Boulevard

Los Angeles California 90010-2241

His Eminence Cardinal Roger M. Mahony
Archbishop of Los Angeles
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Sincerely in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: Rev. Msgr. Craig A. Cox, J.C.D.
-REDACTED

4766

#2

Archdiocese of Los Angeles

Office of the Archbishop (213) 637-7288

3424 Wilshire Boulevard

Los Angeles California 90010-2241

February 15, 2002

PERSONAL

Rev. Gerald B. Fessard, M.A., J.C.L.

Dear Father Fessard:

I have received your letter dated February 14, 2002 in which you submit your resignation, effective February 16, 2002, from the following offices:

1. Adjutant Judicial Vicar
2. Delegate in Matrimonial Matters
3. Judge and Defender of the Bond
4. Advocate
5. Notary
6. Chaplain to the Maryknoll Sisters, Monrovia

I am grateful to you for your diligent carrying out of these special offices for the good of the Church.

Sincerely yours in Christ,

+ Roger Card. Mahony

His Eminence
Cardinal Roger M. Mahony
Archbishop of Los Angeles

REDACTED

254380

REVEREND GERALD B. FESSARD

Appointments

St. Charles, North Hollywood - Associate 06/12/72
St. Pius X, Santa Fe Springs - Associate 06/16/75
Santa Clara High School, Oxnard - Faculty 07/15/77
Santa Clara, Oxnard - Residence 07/15/77
St. Bernard High School, Playa Del Rey - Faculty 07/09/80
St. Clement, Santa Monica - Residence 07/09/80
St. Eugene, Los Angeles - Residence 06/15/81
Associate Superintendent Elementary Schools - 06/15/81
St. Paul, Los Angeles - Residence 07/09/85
St. Martin of Tours, Los Angeles - Residence 06/29/86
Our Lady Queen of Angels Seminary, San Fernando - Dean of Studies 02/01/87
Matrimonial Tribunal 12/14/87
St. Timothy, Los Angeles - Residence 02/01/88
Education Leave - 08/01/89
Matrimonial Tribunal - 08/22/91 - 02/16/2002
St. Luke, Temple City - Residence 08/22/91
St. Gregory Nazianzen, Los Angeles - Residence 09/26/94
Living Privately - 02/05/95
Inactive-Leave 02/16/2002

REDACTED

February 20, 2002

Dear friends,

Please forgive me for using the mail to inform you of this news. I have been struggling for some way to let you know without shock or hurt, but I can find none, and I cannot manage a personal contact with each of you at this time. I hope you will understand when you have read on.

As some of you know, I have been working very hard these past two years in my Tribunal ministry, through a transition to new leadership and also personally managing and completing transition to a new database for processing the cases in our large office. Though challenging and, I thought, relatively successful, these and other demands have taken their toll on me, and I now find myself "stressed out" and "burned out."

I have spoken with my Archbishop, Cardinal Mahony, and he has suggested that I take some time away from my priestly ministry, as much as I need to deal with the stress and burnout and to discern the future movements the Lord wants me to make. I am grateful for his offer of support during this time, and I hope to make the most of it, for my growth in discipleship. In nearly thirty years of priesthood, I have never had a sabbatical, and it seems long overdue.

I know this news comes as a complete surprise and shock to you. Actually, the crisis, consultation and decision have taken place only in the last week or two. Though this move will bring its challenges, and though at times I would like to think that I could "tough it out" and remain on the job, I believe that for my good and the good of the Church, this is best. I know that you have been and are only too ready to help, to reach out and support me, to do anything you can to keep me "in the saddle." I thank you for this, and I'm sorry if perhaps I have been too ready to "go it alone." Perhaps that is what has brought me to this big and scary moment; if so, I ask forgiveness from God and from you. My vocation to Christ's priesthood has been without doubt the greatest gift of my life, a gift I have tried to be worthy of and which I will always treasure. I want to be the best priest I can be, and the months to come will hopefully let me know if that is possible. God has been faithful in leading me along through all my life, and I know He will not let me down now. I also trust that He understands my weaknesses. As St. Paul said, "It is in weakness that power reaches perfection."

At this time, as I begin to find a new place to live and rest and become productive in a slightly different way, I ask sincerely for your continued love, your understanding and your support. If I am disappointing you, I can only say I am very, very sorry, and I beg your forgiveness. If I am making you envious, I will feel slightly

better about that. If I am encouraging you to redouble your prayers for me, I will very grateful and happy about that, for I truly need them.

If you wish to contact me, you are welcome to write to the above address, or e-mail me, and I promise to get back to you as soon as I can, if only you will be patient. I do not yet have a new permanent address or phone number, so it is best to use my old address, which will be forwarded.

I certainly need your prayers, and I may need other favors, which I hope I may present to you with confidence if and when the time comes.

This is a time of great challenge to the Church and to us priests. We are growing fewer in number, which stretches us ever more thin as we try to "cover." We are also beset not only by our human weakness, by the failings of some few of our number, by cowardice and shortness of vision in some of our leaders, but also by the attacks of those who would like nothing better than to see us and the Gospel we try to proclaim disappear completely. Though at times it may seem that they are winning, we have our hope in what is known as the paschal mystery, which is the pathway of suffering and death that leads us to a new life. They will not win. We have already won, because our victory is in Christ, who has already trod that path and shown us the way. In the meantime, it should not surprise us that we have to suffer, for "no servant is greater than his Master."

Please keep me in your prayers. I thank God daily for your love and friendship over the years, and I hope that my laying down the burdens of priesthood for a while will not separate us. You mean so much to me, and I pray that you will understand and continue to support me in all that is to be.

With love in Christ,

Gary

Father Gary Fessard

REDACTED

From: Loomis, Msgr. Richard A.
Sent: Wednesday. February 27, 2002 2:44 PM
To: REDACTED
Subject: Phone Numbers

Inv. # 242

Cabin: REDACTED

Cell: REDACTED

FROM :G.B. FESSARD FAX NO. REDACTED Feb. 27 ~~02 12:10PM P1

REDACTED

Msgr.

FAX Message

To: **Msgr. Richard Loomis**

From: **Fr. Gerald Fessard**

Date: **February 27, 2002**

Subject: **Car Purchase**

Dick, I am forwarding a **revised purchase order** for the car I spoke to you about yesterday.

In response to REDACTED request, they are willing to hold the car for me until Monday. There is also a new purchase price, based on my registering the car here at my vacation place in REDACTED County, where the sales tax is lower.

The new purchase price of the car, including tax and license, is $21,826.12.

Please pass this information along to REDACTED as this is the amount I will need if I am to get the car by Monday.

I called back and left a message for you, as I would like to talk to you. I hope you can call me back before 2 PM today (Wednesday). If not, please call me on my cell phone: REDACTED

Thanks, Gary

254451

[Monday, March 04, 2002]

Hi, Craig. This is Gary. Ah, it's 3:32. Sorry I missed your call. The reception up here by Monrovia is not very good, so I don't always get the incoming calls. I did get your message, though. I am very disappointed, and I don't understand why the car has to wait on the rest of the, of the, package because that amount is covered, I am sure, by what you are going to offer me. So I, and I was told to get a car as soon as I could. I don't, it just doesn't seem right. If there is anything you can do about it, I would appreciate it. I have to call the dealership now and tell them, I guess, it's off, or see if they will hold it any longer. I don't know. But we may be in negotiations a long time on this, Craig, and it's not going to be easy, but I do need the basics to get by.

Thank you. I'll hear from soon I hope. Bye.

120390

Check Date: 08.Mar.2002 ACCLA eck No.

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
308	08.Mar.2002	00068222	25,000.00	0.00	[redacted]

Vendor Number	Name		Total Discounts	
0000001121	Rev. Gerald B. Fessard		$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
	08.Mar.2002	$25,000.00	$0.00	[redacted]

DO NOT CASH IF THIS DOCUMENT DOES NOT HAVE A LARGE FAINT IMAGE OF THE "SECURE DOCUMENT" LOGO OVER A FADING PATTERN OF THE WORDS "SECURE DOCUMENT"

The Roman Catholic Archbishop of Los Angeles
(A Corporation Sole)
3424 Wilshire Blvd.
Los Angeles, California 90010-2241
(213) 637-7691

Wachovia Bank, N.A.
Greenville, South Carolina
In Cooperation with & Payable If Desired at
Wells Fargo Bank, N.A.
4759-613201 67-1/532

120390

Date: March 8, 2002

Pay Amount: $ [redacted]

Pay [redacted] AND XX/100 US DOLLAR****

To The Order Of

REDACTED

REV. GERALD B. FESSARD
Tribunal
ACC
Los Angeles, CA 90010

REDACTED

Authorized Signature

254449

PAPER IS ALTERATION

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

March 8, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

This is to put on paper for you the information I communicated to you on the telephone a little earlier this afternoon.

First, the Cardinal renews his request, made to you personally, that you present a petition for laicization. He asks you to present this for your own welfare and that of the Church.

As transitional support, the Archdiocese is making a gift to you of [redacted]. This will enable you to purchase an automobile, pay first and last months' rent and secure some of the necessities you may need. [redacted] of this amount was already advanced to you. Enclosed is a check for the additional [redacted].

For the next six months, you will continue to be maintained under the Archdiocesan medical insurance coverage (RETA). You will not be eligible, however, for reimbursement of the deductible or other expenses that are not covered by the insurance program.

You are vested in the Archdiocesan Priest's pension program. You will be able to draw on the monthly pension benefit beginning at age sixty-five.

Beyond the immediate assistance that is being provided at this time, the Archdiocese proposes to recognize and respond to certain hardships related to your leave of absence. We are prepared to arrange an annuity that would pay you [redacted] month. Between now and age sixty-five, that amount will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment. Once you begin drawing on the pension fund, the annuity payment continues, more than making up the difference in the amount you would have received had you continued in service until age seventy.

We are also prepared to forgive the balance of the loan you owe to the Archdiocese. The current balance is [redacted]

We believe this is a fair package, one that is consistent with the kind of support given to our priests in retirement and medical disability.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

254448

enclosure: check

FedEx Express
Customer Support
Domestic Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643

Telephone 901-369-3600

FedEx Express

March 12,2002

REDACTED

DearREDACTED

Our records reflect the following delivery information for the shipment with the tracking number 5589881485. The information is incomplete and we regret the inconvenience this may cause. However, as stated in the FedEx Service Guide, we assume no liability for our inability to provide a copy of the delivery record.

Delivery Information:

Signed For By: G.FESSARD

Delivered to: REDACTED

Delivery Date: March 09, 2002

Delivery Time: 10:08 AM

Shipping Information:

Tracking No: 5589881485 Ship Date: March 08, 2002

Shipper: Recipient:

Thank you for choosing FedEx Express. We look forward to working with you in the future.

FedEx Worldwide Customer Service
1-800-Go-FedEx (1-800-463-3339)
Reference No: R200203120004550640l

This Information is provided subject to the FedEx Service Guide.

254447

120390

Check Date: 08.Mar.2002 ACCLA eck No.

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
308	08.Mar.2002	00068222	25,000.00	0.00	[redacted]

Vendor Number	Name		Total Discounts	
0000001121	Rev. Gerald B. Fessard		$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
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The Roman Catholic Archbishop of Los Angeles
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3424 Wilshire Blvd.
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Wachovia Bank, N.A.
Greenville, South Carolina
In Cooperation with & Payable If Desired at
Wells Fargo Bank, N.A.
4759-613201 67-1 / 532

120390

Date [redacted]

Pay Amount $ [redacted]

Pay ****[redacted]ND XX / 100 US DOLLAR****

To The Order Of

REDACTED

REV. GERALD B. FESSARD
Tribunal
ACC
Los Angeles, CA 90010

REDACTED

254512

THE REVERSE SIDE OF THIS DOCUMENT MUST HAVE AN ARTIFICIAL WATERMARK AND COLORED SAFETY PANTOGRAPH. THIS PAPER IS ALTERATION PROTECTED.

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

March 8, 2002

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REDACTED

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First, the Cardinal renews his request, made to you personally, that you present a petition for laicization. He asks you to present this for your own welfare and that of the Church.

As transitional support, the Archdiocese is making a gift to you of thirty-thousand dollars ([redacted]). This will enable you to purchase an automobile, pay first and last months' rent and secure some of the necessities you may need. Five thousand dollars ([redacted]) of this amount was already advanced to you. Enclosed is a check for the additional twenty-five thousand dollars ([redacted]).

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Beyond the immediate assistance that is being provided at this time, the Archdiocese proposes to recognize and respond to certain hardships related to your leave of absence. We are prepared to arrange an annuity that would pay you $[redacted] a month. Between now and age sixty-five, that amount will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment. Once you begin drawing on the pension fund, the annuity payment continues, more than making up the difference in the amount you would have received had you continued in service until age seventy.

We are also prepared to forgive the balance of the loan you owe to the Archdiocese. The current balance is $[redacted].

We believe this is a fair package, one that is consistent with the kind of support given to our priests in retirement and medical disability.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

254511

enclosure: check

#3

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7284
3424 Wilshire Boulevard
Los Angeles California 90010-2241

March 8, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

This is to put on paper for you the information I communicated to you on the telephone a little earlier this afternoon.

First, the Cardinal renews his request, made to you personally, that you present a petition for laicization. He asks you to present this for your own welfare and that of the Church.

As transitional support, the Archdiocese is making a gift to you of thirty-thousand dollars ([redacted]). This will enable you to purchase an automobile, pay first and last months' rent and secure some of the necessities you may need. [redacted] thousand dollars [redacted] of this amount was already advanced to you. Enclosed is a check for the additional [redacted] thousand dollars [redacted].

For the next six months, you will continue to be maintained under the Archdiocesan medical insurance coverage (RETA). You will not be eligible, however, for reimbursement of the deductible or other expenses that are not covered by the insurance program.

You are vested in the Archdiocesan Priest's pension program. You will be able to draw on the monthly pension benefit beginning at age sixty-five.

Beyond the immediate assistance that is being provided at this time, the Archdiocese proposes to recognize and respond to certain hardships related to your leave of absence. We are prepared to arrange an annuity that would pay you $1,000 a month. Between now and age sixty-five, that amount will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment. Once you begin drawing on the pension fund, the annuity payment continues, more than making up the difference in the amount you would have received had you continued in service until age seventy.

We are also prepared to forgive the balance of the loan you owe to the Archdiocese. The current balance is [redacted].

We believe this is a fair package, one that is consistent with the kind of support given to our priests in retirement and medical disability.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

254381

enclosure: check

F delivered 3/9/02 10:08 G. Fessard

Tracking Number 55[illegible]9881485

002179 [illegible]8 1

SLA22

Sender's Copy

1

Date

Sent Name

Company

Address

City

Account Number 1016-4505-3 pup #419

Cox Phone (213) 637-7505

Dept/Floor/Suite/Room

S ANGELES

3424 WILSHIRE BLVD

LOS ANGELES State CA Zip 90010

2 Your Internal Billing Reference Information (Optional) (First 24 characters will appear on invoice)

3 To (please print)

Recipient's Name Reverend Gary Fessard Phone ( )

Dept/Floor/Suite/Room

Company

REDACTED

Address

To "HOLD" a

City REDACTED

For HOLD at FedEx Location check here

☐ Hold Weekday (Not available with FedEx First Overnight)

☐ Hold Saturday (Not available at all locations) (Not available with FedEx First Overnight or FedEx Standard Overnight)

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☒ (Extra Charge. Not available to all locations) (Not available with FedEx First Overnight or FedEx Standard Overnight)

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Questions?
Call 1·800·Go·FedEx (1-800-463-3339)

The World On Time

4a Express Package Service *Packages under 150 lbs.* Delivery commitment may be later in some areas.

☐ FedEx Priority Overnight (Next business morning)

☐ FedEx Standard Overnight (Next business afternoon)

☐ FedEx 2Day* (Second business day)

☐ NEW FedEx First Overnight (Earliest next business morning delivery to select locations) (Higher rates apply)

* FedEx Letter Rate not available. Minimum charge. One pound FedEx 2Day rate.

4b Express Freight Service *Packages over 150 lbs.* Delivery commitment may be later in some areas.

☐ FedEx Overnight Freight (Next business-day service for any distance)

☐ FedEx 2Day Freight (Second business-day service for any distance)

☐ FedEx Express Saver Freight (Up to 3 business-day service based upon distance)

(Call for delivery schedule. See back for detailed descriptions of freight products.)

5 Packaging ☒ FedEx Letter ☐ FedEx Pak ☐ FedEx Box ☐ FedEx Tube ☐ Other Pkg.

☒ Declared value limit $500

6 Special Handling

Does this shipment contain dangerous goods? ☐ Yes (As per attached Shipper's Declaration) ☐ Yes (Shipper's Declaration not required)

☐ Dry Ice

Dry Ice, 9, UN 1845 III _____ x _____ kg. 904 (Dangerous Goods Shipper's Declaration not required)

CA ☐ Cargo Aircraft Only

7 Payment

Bill to: ☒ Sender (Account no. in section 1 will be billed) ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

(Enter FedEx account no. or Credit Card no. below)

FedEx Account No.

Credit Card No. Exp. Date

Total Packages	Total Weight	Total Declared Value*	Total Charges
		$ .00	$

* When declaring a value higher than $100 per shipment, you pay an additional charge. See SERVICE CONDITIONS, DECLARED VALUE AND LIMIT OF LIABILITY section for further information.

8 Release Signature Signature authorizes delivery without obtaining signature

Your signature authorizes Federal Express to deliver this shipment without obtaining a signature and agrees to indemnify and hold harmless Federal Express from any resulting claims.

272

Rev. Date 6/95 PART # 147956 ©1994-96 FedEx PRINTED IN U.S.A. GUIDE 5/97

254513

Archdiocese of Los Angeles | Office of Vicar for Clergy (213) 637-7284 | 3424 Wilshire Boulevard | Los Angeles California 90010-2241

March 11, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

Thank you for your phone call last night. This is to acknowledge that, in your call, you indicated that you did not believe the provisions for support expressed in my letter of March 8, 2002, were adequate. You promised to explain the difficulties you have in a letter to me, for which I am grateful.

You asked that I clarify two things in writing. First, you inquired whether there is a *fatalia legis* running that would require you to place a notice of recourse within the canonically specified time. I informed you that the letter of March 8, 2002, was not an administrative act. The provisions described there do not reflect a final decision being imposed, and hence are not yet at the point where you need to lodge a formal recourse.

Second, among your objections to the provisions described in the letter you indicated that in your opinion the amount of the "gift" of [redacted] as not adequate. You inquired whether cashing the check enclosed with that letter would be seen as a tacit acceptance of that amount precluding any further recourse. Let me assure that you that cashing the check will not be interpreted as any sort of tacit acceptance precluding you from challenging the adequacy of that provision.

I trust that these clarifications are helpful.

May God continue to bless you at this difficult time.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

254446

FedEx Express
Customer Support
Domestic Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643

Telephone 901-369-3600

FedEx Express

March 12,2002

IVRTRACK
(213) 637-6289

Dear IVRTRACK:

Our records reflect the following delivery information for the shipment with the tracking number 5589881485. The information is incomplete and we regret the inconvenience this may cause. However, as stated in the FedEx Service Guide, we assume no liability for our inability to provide a copy of the delivery record.

Delivery Information:

Signed For By: G.FESSARD

Delivered to: REDACTED

Delivery Date: March 09, 2002

Delivery Time: 10:08 AM

Shipping Information:

Tracking No: 5589881485 Ship Date: March 08, 2002

Shipper: Recipient:

Thank you for choosing FedEx Express. We look forward to working with you in the future.

FedEx Worldwide Customer Service
1-800-Go-FedEx (1-800-463-3339)
Reference No: R2002031200045506401

This Information is provided subject to the FedEx Service Guide.

254514

FedEx Express Corporation
Customer Support
Domestic Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4843

Telephone 901-369-3600

FedEx Express

FAX HEADER SHEET

FROM: F e d E x E x p r e s s
PHONE: 1-800-GO-FEDEX

TO: IVRTRACK
PHONE: 2136376289

PAGES: 2 (including header)

Reference Number: R2002031200045506401

254515

REDACTED

March 20, 2002

Rev. Msgr. Craig A. Cox. J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Craig:

I am writing in response to your letter of March 8, 2002 in which you lay out the Archdiocese's offer of support and settlement connected to my recent dismissal from priestly ministry. Since I indicated to you in our phone conversation of March 10 that the provisions for support were inadequate, you requested that I submit a counter-proposal, which you agreed to relay to the appropriate persons.

I have consulted with my financial and other advisors, informing them of the provisions contained in your March 8 letter. They have confirmed my belief that this offer is completely insufficient for my needs in light of the circumstances, and they have assisted me in formulating the following response and proposal.

Preliminary Considerations

First, it must be noted that my departure from ministry is completely involuntary. Despite my serious failings, I have ministered effectively and positively for nearly thirty years, as can be attested by countless faithful. Moreover, in the exercise of ministry during the past fifteen years, I have cooperated fully with the directions of the Cardinal in facing the issues of my past, satisfying completely the penalties imposed by the civil authority for my actions, undergoing a full program of inpatient treatment in an institution chosen by the Archdiocese, as well as years of outpatient individual and group therapy with professionals chosen by the Archdiocese, as well as those of my own choosing. My record of fifteen years, as well as my present therapist, will testify that I am no longer a threat to any minor.

I am grateful that the Cardinal and other archdiocesan authorities chose to deal with my issues fifteen years ago following the principles enunciated in Canon 1341. In doing this so successfully in my regard, no canonical penalty was needed or imposed. Despite these facts of history, I have been removed from ministry and residence and have been asked to resign my offices. Moreover, since leaving, my good reputation has been damaged if not destroyed among the priests of the Archdiocese, as well as many of the lay faithful.

As you are well aware, the Cardinal is asking my cooperation in departing ministry, and he is asking me to petition for dispensation from the obligations of priesthood, as you put it, "for your own welfare and that of the Church." If I do so cooperate, and if papal dispensation is granted, this of course would end most of the obligations of the Archdiocese to me for remuneration and

support. Therefore, my cooperation with the Cardinal's wishes must seriously address my financial welfare and must be realistic in respect to my age, health problems and earning capability. Otherwise, I cannot accept such a path as being truly "for my welfare." The present offer of the Archdiocese is neither realistic in these respects, nor is it "generous" as I have been assured it would be by the Cardinal on at least two occasions.

Transitional Support

Th[redacted] advanced to me by the Archdiocese thus far has enabled me to purchase a car and to meet the initial expenses of rent and some furnishings and supplies. After the purchase of these initial essentials, there remains less tha[redacted] is "gift." You indicated verbally on one occasion that this amount is "standard" for priests taking leave of absence from ministry, i.e., "[redacted] each year of ordination." You also stated in your letter that this and the other features of your offer "is consistent with the kind of support given to our priests in retirement and medical disability." I must point out that my situation fits into none of these three categories. Again, since my departure from ministry is both sudden and involuntary, I have not been able to plan and provide for personal needs and to discharge personal debts I have accrued. The amount offered thus far does not begin to assist me to do this.

As I stated to you in our previous meeting, I have personal debts in the neighborhood of [redacted], including that owed to the Archdiocese, which in your letter you stated you are prepared to forgive. In order to be able to get on any kind of sound financial footing to face the future, I must have assistance in discharging these debts.

In addition, as you know, there is my obligation to our jointly-owned home in Pine Mountain Club, which I have expected to maintain for my retirement needs, and which I could have maintained, had I been allowed to remain active.

Thirdly, given your stated limit of archdiocesan medical coverage to six months, I must have a principal amount that would enable me to afford in future the full medical coverage I now have. I will address the issue of medical coverage again later in this letter.

There is also the need for me to be able to put away some savings for unforeseen needs and also perhaps to have an alternative housing arrangement, such as leasing with option to buy or ownership, so that I do not throw rent money away monthly without building some equity.

Given these realities, I am asking for a settlement sum of at leas[redacted] each year of ordination, or a total o[redacted] of which has already been advanced.

Monthly Income

You have stated the willingness of the Archdiocese to provide for me an annuity that would pay a monthly allocation o[redacted] You state that this amount "will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment." My monthly allotment should be at least a full retirement pension, including the amount of the priests' pension and the amount equivalent to that which I would receive from Social Security, at least until the age when that benefit actually becomes available to me from the government. Your present offer does not even equal that which I had received as an active priest, when room, board, car use, maintenance and insurance were provided. My monthly allotment, in addition to helping me meet the costs of room and board, car maintenance, health

care and other personal needs not covered by health insurance, car and personal property insurance, charitable donations, clothing, recreation, etc., must also compensate for the additional federal and state income tax, Social Security obligations, etc. that I will incur by virtue of being in a higher tax bracket. In trying to come up with a reasonable amount to meet my needs, I am starting from a salary figure offered to priests in another diocese ordained approximately the same length of time, where the priest is obliged to purchase and maintain his own car, insurance, etc.

At age 55, though perhaps theoretically possible, in light of my being forced out of ministry it is neither realistic nor just to expect me to find an entirely new career or position in life. It is my hope to supplement income afforded by the Archdiocese by using my Canon Law background, training and expertise, as the Cardinal and others have encouraged me to do. However, as yet no definite or long-term position of this nature, and certainly no clear notion of salary or stipends to be available to me in exercising this canonical ministry, have been set in place. It is unclear, given the present climate in the Church, whether a person in my position would be welcome to undertake such a mission here or in another diocese, as much as I would wish to do so.

Nonetheless, hopefully I can find such employment, such that I would not have to expect the Archdiocese to subsidize more than half of my annual income needs. **With this in mind, I am asking that the annuity provided by the Archdiocese generate a monthly income for me of [redacted] at least until I reach a[redacted] At that point, I would revert to my Social Security and full priests' retirement pension. I also ask that the Archdiocese commit in writing to an arrangement whereby I may assist the Tribunal as an independent contractor and consultant, with reasonable stipends for services rendered.**

Health Insurance

Your offer states that I would continue to receive health insurance coverage under the archdiocesan medical plan (RETA), not including reimbursement for the deductible or other non-covered health expenses for six months. Though your letter does not specify, I assume that this coverage is the standard priests' indemnity plan, including dental and vision care, and prescription coverage. I also assume that this covers cost of necessary psychological counseling. I would appreciate your clarifying this at the earliest opportunity, so that I will know more accurately what costs I am expected to shoulder.

I further assume that, at the end of six months, all costs of health insurance would fall to me, according to your proposal.

This "offer" overlooks several critical points, among them the existence of my health and vision problems that require regular treatment and also lifelong expensive prescription medications. **Given these realities, I must state that, without the Archdiocese's continuing to provide permanently the full present level of my medical coverage, any thought of my seeking laicization is neither realistic nor possible, since remaining in the clerical state would then be the only means of assuring and protecting my right to adequate health care coverage.**

In conclusion, I believe that the above requests both reflect the new and particular situation that my requested departure from active ministry represents, and they also constitute more adequately the "generous package" promised by the Cardinal in our meeting. I sincerely hope that the Archdiocese will meet these provisions, and I will be happy to discuss them further at the earliest opportunity. Thank you, Craig, for your fraternal concern and assistance.

Sincerely in Christ,

Rev. Gerald B. Fessard

#4

REDACTED

March 20, 2002

Rev. Msgr. Craig A. Cox. J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Craig:

I am writing in response to your letter of March 8, 2002 in which you lay out the Archdiocese's offer of support and settlement connected to my recent dismissal from priestly ministry. Since I indicated to you in our phone conversation of March 10 that the provisions for support were inadequate, you requested that I submit a counter-proposal, which you agreed to relay to the appropriate persons.

I have consulted with my financial and other advisors, informing them of the provisions contained in your March 8 letter. They have confirmed my belief that this offer is completely insufficient for my needs in light of the circumstances, and they have assisted me in formulating the following response and proposal.

Preliminary Considerations

First, it must be noted that my departure from ministry is completely involuntary. Despite my serious failings, I have ministered effectively and positively for nearly thirty years, as can be attested by countless faithful. Moreover, in the exercise of ministry during the past fifteen years, I have cooperated fully with the directions of the Cardinal in facing the issues of my past, satisfying completely the penalties imposed by the civil authority for my actions, undergoing a full program of inpatient treatment in an institution chosen by the Archdiocese, as well as years of outpatient individual and group therapy with professionals chosen by the Archdiocese, as well as those of my own choosing. My record of fifteen years, as well as my present therapist, will testify that I am no longer a threat to any minor.

I am grateful that the Cardinal and other archdiocesan authorities chose to deal with my issues fifteen years ago following the principles enunciated in Canon 1341. In doing this so successfully in my regard, no canonical penalty was needed or imposed. Despite these facts of history, I have been removed from ministry and residence and have been asked to resign my offices. Moreover, since leaving, my good reputation has been damaged if not destroyed among the priests of the Archdiocese, as well as many of the lay faithful.

As you are well aware, the Cardinal is asking my cooperation in departing ministry, and he is asking me to petition for dispensation from the obligations of priesthood, as you put it, "for your own welfare and that of the Church." If I do so cooperate, and if papal dispensation is granted, this of course would end most of the obligations of the Archdiocese to me for remuneration and

support. Therefore, my cooperation with the Cardinal's wishes must seriously address my financial welfare and must be realistic in respect to my age, health problems and earning capability. Otherwise, I cannot accept such a path as being truly "for my welfare." The present offer of the Archdiocese is neither realistic in these respects, nor is it "generous" as I have been assured it would be by the Cardinal on at least two occasions.

Transitional Support

The $[redacted]dvanced to me by the Archdiocese thus far has enabled me to purchase a car and to meet the initial expenses of rent and some furnishings and supplies. After the purchase of these initial essentials, there remains less than [redacted]f this "gift." You indicated verbally on one occasion that this amount is "standard" for priests taking leave of absence from ministry, i.e., "[redacted]r each year of ordination." You also stated in your letter that this and the other features of your offer "is consistent with the kind of support given to our priests in retirement and medical disability." I must point out that my situation fits into none of these three categories. Again, since my departure from ministry is both sudden and involuntary, I have not been able to plan and provide for personal needs and to discharge personal debts I have accrued. The amount offered thus far does not begin to assist me to do this.

As I stated to you in our previous meeting, I have personal debts in the neighborhood of $18,000, including that owed to the Archdiocese, which in your letter you stated you are prepared to forgive. In order to be able to get on any kind of sound financial footing to face the future, I must have assistance in discharging these debts.

In addition, as you know, there is my obligation to our jointly-owned home in Pine Mountain Club, which I have expected to maintain for my retirement needs, and which I could have maintained, had I been allowed to remain active.

Thirdly, given your stated limit of archdiocesan medical coverage to six months, I must have a principal amount that would enable me to afford in future the full medical coverage I now have. I will address the issue of medical coverage again later in this letter.

There is also the need for me to be able to put away some savings for unforeseen needs and also perhaps to have an alternative housing arrangement, such as leasing with option to buy or ownership, so that I do not throw rent money away monthly without building some equity.

Given these realities, I am asking for a settlement sum of at least $2500 for each year of ordination, or a total of [redacted]of which has already been advanced.

Monthly Income

You have stated the willingness of the Archdiocese to provide for me an annuity that would pay a monthly allocation of [redacted] You state that this amount "will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment." My monthly allotment should be at least a full retirement pension, including the amount of the priests' pension and the amount equivalent to that which I would receive from Social Security, at least until the age when that benefit actually becomes available to me from the government. Your present offer does not even equal that which I had received as an active priest, when room, board, car use, maintenance and insurance were provided. My monthly allotment, in addition to helping me meet the costs of room and board, car maintenance, health

care and other personal needs not covered by health insurance, car and personal property insurance, charitable donations, clothing, recreation, etc., must also compensate for the additional federal and state income tax, Social Security obligations, etc. that I will incur by virtue of being in a higher tax bracket. In trying to come up with a reasonable amount to meet my needs, I am starting from a salary figure offered to priests in another diocese ordained approximately the same length of time, where the priest is obliged to purchase and maintain his own car, insurance, etc.

At age 55, though perhaps theoretically possible, in light of my being forced out of ministry it is neither realistic nor just to expect me to find an entirely new career or position in life. It is my hope to supplement income afforded by the Archdiocese by using my Canon Law background, training and expertise, as the Cardinal and others have encouraged me to do. However, as yet no definite or long-term position of this nature, and certainly no clear notion of salary or stipends to be available to me in exercising this canonical ministry, have been set in place. It is unclear, given the present climate in the Church, whether a person in my position would be welcome to undertake such a mission here or in another diocese, as much as I would wish to do so.

Nonetheless, hopefully I can find such employment, such that I would not have to expect the Archdiocese to subsidize more than half of my annual income needs. **With this in mind, I am asking that the annuity provided by the Archdiocese generate a monthly income for me of [redacted] least until I reach age 65. At that point, I would revert to my Social Security and full priests' retirement pension. I also ask that the Archdiocese commit in writing to an arrangement whereby I may assist the Tribunal as an independent contractor and consultant, with reasonable stipends for services rendered.**

Health Insurance

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In conclusion, I believe that the above requests both reflect the new and particular situation that my requested departure from active ministry represents, and they also constitute more adequately the "generous package" promised by the Cardinal in our meeting. I sincerely hope that the Archdiocese will meet these provisions, and I will be happy to discuss them further at the earliest opportunity. Thank you, Craig, for your fraternal concern and assistance.

Sincerely in Christ,

Rev. Gerald B. Fessard

REDACTED

From: Loomis, Msgr. Richard A.
Sent: Wednesday, April 03, 2002 3:29 PM
To: REDACTED
Subject:

New work phone for him: REDACTED

4763

COPY

REDACTED

APR - 5

April 4, 2002

Rev. Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Craig:

I hope you had a beautiful and spiritually enriching Holy Week.

I have not yet received a reply to my counter-proposal concerning financial support, sent to you on March 20, 2002. However, I must write to you at this time, requesting additional and immediate help to meet several financial obligations that are coming due during the next three weeks.

As a result of my car purchase and insurance, two months' house rent plus a significant security deposit, a few furnishings, moving costs, etc., the advance given me by the Archdiocese thus far is almost depleted.

I am facing the following obligations during the month of April:

- Federal & State Income Tax Owed for 2001
- Federal & State Income Tax Quarterly Estimate for 2002 (based on the additional income received and/or anticipated for the current year)
- Payment on Outstanding Loans
- House Rent for May

I am unable to meet these costs with my currently available resources, and I will of course face penalties if I am unable to make the quarterly estimated tax payments. Therefore, I am requesting an immediate subsidy [redacted] to defray these obligations.

If possible, I would be grateful if this amount could be deposited by the Archdiocese in my **Parishioners Federal Credit Union** (checking) account, #32969 (S-5), in order to avoid delays in the check clearing process. I would also appreciate your informing me when this deposit is made or check issued.

Thank you very much, Craig, for your assistance in this matter. My personal best wishes and prayers.

Fraternally in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

254438

COPY

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7284
3424 Wilshire Boulevard
Los Angeles California 90010-2241

April 5, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

I have received your letter of April 4, 2002, and passed it along to Monsignor Loomis. As you know, I suggested to the Cardinal that it was not advisable for me to be the one to work out arrangements with you. The Cardinal agreed and has designated Monsignor Loomis to be the one to work with you.

I trust that Monsignor Loomis will be in touch with you shortly.

May God continue to bless you at this difficult time.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

cc: Monsignor Richard A. Loomis

254437

MEMORANDUM

TO: Monsignor Richard A. Loomis

FROM: Monsignor Craig A. Cox, J.C.D.

RE: Fr. Gary Fessard

DATE: 5 April 2002

I received the attached from Gary today, and I wrote him to indicate you are the contact person. I have put the original in his file; this is a copy for you.

The more I think of it, the more Fr. REDACTED in Pittsburgh is probably the best person to consult.

In terms of Gary's immediate letter, he has been receiving his standard salary (which includes the SS reimbursement) so needing money for that is something he has been receiving. To be asking for money to cover this now makes no sense at all.

Do keep me posted. If there is anything I can do to assist, please let me know.

Thank you.

attachment

Cox, Msgr. Craig A.

From: Bishop T. J. Curry REDACTED
Sent: Wednesday, April 10, 2002 12:16 PM
To: Monsignor Craig Cox (E-mail)

Dear Craig:

This is an informational message, but since if I am not sure what the status of the ACC e-mail is, I will mail it.

REDACTED who lives in Our Lady of Guadalupe parish called me today to let me know that when her son, REDACTED was in the high school Seminary in San Fernando, the boys who were abused by Gary Fessard came to him and told him of the incident. He reported the matter to Pat Ziemann, and she is aware that Gary was removed the next day. However, she saw his picture in the Archdiocesan Directory and wondered about his status. I informed her that Gary was no longer in ministry, and she seemed to approve of that.

He son works now in Los Angeles and has not maintained contact with the classmates who reported on Gary Fessard. She knows of no subsequent incidents or problems. I told her I would inform the Archdiocese of our discussion.

+Thomas Curry

4762

REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard
Los Angeles California 90010-2241

April 11, 2002

Very Rev. REDACTED , J.C.L.
Archdiocese of Pittsburgh
REDACTED

Dear Father REDACTED

I appreciate that you took the time to speak with me on the phone today. Please accept both my thanks and the thanks of Cardinal Mahony for your assistance in this matter.

Please find enclosed the correspondence and documentation in the case involving Father Gerald Fessard. I believe this letter will make more sense after you review the attached pages.

Our basic position is:

1. Regarding leaving ministry against his will – Father Fessard's transition out of priestly ministry was a mutual agreement to prevent further embarrassment and scandal to himself and the Church.
    a. Cardinal Mahony met with Father personally in my presence. Cardinal Mahony expressed to Father his concern to protect him from scandal and harm stemming from his past misconduct in the current climate of disclosure. The Cardinal requested that Father resign his offices and step out of priestly ministry. Father Fessard said that, although the request was a hard one, he would never want any further scandal to come to the Church through him and agreed to resign.
    b. Father's written resignation and Cardinal Mahony's written acceptance are among the attached documentation.
2. After Father Fessard left ministry, I personally warned him that his name had come to us from several quarters as a priest who had left ministry due to a past history of abuse of minors.
    a. He was being mentioned due to the letters and e-mails that he was sending far and wide to tell people that he was leaving ministry.
    b. I also warned him that police and press seeking more information had mentioned his name to us. He volunteered to me that a reporter had approached him via a third party.

254434

c. I also told him by phone that his situation at Queen of Angels High School Seminary had not been secret, that an entire student body had known of his situation and that many priests also knew of the behavior that had led to his arrest, trial and probation. I told him that his own actions were attracting attention.

3. The Archdiocese has extended substantial assistance to Father Fessard for a transition out of ministry, including the offer of an annuity. He is receiving a monthly stipend based on the length of time in ministry, as well as transitional health insurance.
   a. His current financial situation is the result of his own decision to purchase a new car and rent quite expensive living accommodations.
   b. He claims that at 55 years of age he is impeded from beginning a new career and therefore needs substantially more financial support. However, he has not taken action as far as I am aware to help in his own support and has not even done any of the casework extended to him for ghost writing by our own Tribunal.

Due to my inability to respond to him in a timely manner, we have given him the extra [redacted]at he requested for temporary financial help. However, we do believe that such additional help is not needed. Father Fessard, between the help given by the Archdiocese and his own abilities and talents, does indeed have the means to support himself.

Once again, I appreciate your willingness to assist us. Please send any billing for your services to me at the address on the letterhead.

I look forward to hearing from you. If you have any questions, please do not hesitate to give me a call.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

Attachments

254435

Loomis, Msgr. Richard A.

From: REDACTED
Sent: Thursday, April 11, 2002 2:55 PM
To: Loomis, Msgr. Richard A.
Subject: Mail

Msgr. Loomis:

The envelope for REDACTED REDACTED was sent out today via UPS Next Day Air. The cost was $16.50.

If you have any questions, please do not hesitate to contact me at REDACTED

Thank you.

REDACTED

COPY

April 11, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary,

This letter is to follow-up my call to you earlier today. As I told you, accounting personnel assured me that the [redacted] you requested in additional aid in your transition was deposited to your account in Parishioners Federal Credit Union today. I appreciate your patience.

Also, as I explained, I have not been able to respond to your letter concerning the "package" of assistance. As I said, I will be responding to you in the near future.

Thank you for understanding the pressure we have been under recently. It delayed my ability to respond to you as quickly as I had hoped.

Sincerely yours in Christ,

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254429

April 16, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

As I acknowledge receipt of your letter of March 20, 2002 that was forwarded to me by Monsignor Criag A. Cox, I wish to take this opportunity to respond to your request for further assistance from the Archdiocese as well as several statements that you make regarding your recent departure from ministry.

First, it is important that we do not forget the circumstances that have led to your resignation from the offices that you held and your departure from priestly ministry. As you are aware, while the situation at Queen of Angels High School Seminary may have occurred ___ years ago, the behavior that led to your arrest, trail and probation is a matter of public record. While the Archdiocese has been generous in assisting you over these years, the present situation does not permit the Archdiocese to have in ministry any priest who has had an allegation of sexual misconduct that has been deemed credible and proven. The faithful of this Archdiocese demand that those priests who minister to them be free of allegations of sexual misconduct. Additionally, the protection of our children and the credibility of this local church are of critical importance at this time.

Second, you indicate that your departure from ministry was "completely involuntary." This characterization of your meeting with Cardinal Mahoney is quite inaccurate. You may recall that when you met with the Cardinal, in my presence, the Cardinal expressed a desire to protect you from any harm or scandal resulting from your past misconduct in the current climate of disclosure. The Cardinal requested and you agreed to resign from the offices that you held, step out of priestly ministry, and petition for a dispensation from the obligations arising from priesthood. Specifically, you indicated that although the request was a difficult one, you would not want any further harm to come to the Church. Thus, it seems to me that your perception of the meeting is not in concert with the facts as they occurred.

Third, you seem to intimate that the Archdiocese has in some way been responsible for damaging your reputation. Such an intimation is rather far from reality. The fact of the matter is that your situation at Queen of the Angels High

School Seminary has not been a secret. In addition, many priests who went through formation at that time knew of the charges that had been lodged against you and the disposition of those charges. In addition, it has come to our attention that you informed individuals about your present situation which only increased discussion surrounding your past problems. As you know, the Cardinal has been extremely careful in not revealing the names of those priests who have been asked to step aside from ministry. Thus, the assertion that in some way the Archdiocese is or was responsible for any damage that may have occurred to your reputation is unfounded.

Fourth, as you are aware the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance and benefits that are equal to or greater than priests who remain in active ministry. The Code presumes that every cleric who is unable to function because of past conduct will seek to obtain a means of support.

Your letter indicates that you are impeded from beginning a new career because of your age, but the letter does not articulate any attempts that you have made to begin to support yourself. For example, you indicate that no definite or long-term position or clear notion of salary or stipend has been discussed for service provided to the tribunal. To the contrary, Father Anslow has stated that he asked you to "ghost write" sentences and that a stipend of at least $100.00 per case would be given for this kind of work. It seems that it is opportune for you to explore this as well as other possibilities that may exist given your canonical experience.

Finally, it seems that the financial arrangements that have been offered are well within reason. The Archdiocese believes that it has extended you substantial assistance for your transition from ministry. The offer of an annuity, a ~~monthly stipend based on the length of your service~~ and transitional health insurance seems quite adequate. The Archdiocese does not believe that any additional assistance is needed. Given the assistance that you will receive and your ability to use your canonical education, you have the means to support yourself. I trust that you will endeavor to begin this transition.

I fully realize that these days have been difficult for you as they have been for the presbyterate and the Archdiocese. Please be assured of my continual prayers for you as you begin your new life outside of ministry. If you wish to discuss this matter further with me, please do not hesitate to contact me at _____.

(sign-off)

254432

REDACTED

DIOCESE OF PITTSBURGH

REDACTED

April 16, 2002

Reverend Monsignor Richard A. Loomis
Secretariat for Administrative Services
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Monsignor Loomis:

Enclosed is a draft letter to Father Fessard as well as a disk that contains the letter. I hope that the letter says what you want. I have been careful to articulate the facts of the case and not quote any particular canons since I do not want to begin a war on canonical issues at this time. The letter may be construed as a bit "harsh and direct" but at some point one must "tell it like it is."

If I can be of any further assistance, please do not hesitate to contact me

With personal best wishes, I am

Fraternally Yours,

REDACTED

REDACTED

254430

April 19, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

As I acknowledge receipt of your letter of March 20, 2002 that was forwarded to me by Monsignor Craig A. Cox, I wish to take this opportunity to respond to your request for further assistance from the Archdiocese, as well as to several statements that you make regarding your recent departure from ministry.

First, it is important that we do not forget the circumstances that have led to your resignation from the offices that you held and your departure from priestly ministry. As you are aware, while the situation at Queen of Angels High School Seminary may have occurred in 1987, the behavior that led to your arrest, *nolo contendere* plea and sentence of probation is a matter of public record. While the Archdiocese has been generous in assisting you over these years, the present situation does not permit the Archdiocese to have in ministry any priest who has had an allegation of sexual misconduct with minors that has been deemed credible and proven. The faithful of this Archdiocese demand that those priests who minister to them be free of any history of sexual misconduct with minors. Additionally, the protection of our children and the credibility of this local church are of critical importance at this time.

Second, you indicate that your departure from ministry was "completely involuntary." This characterization of your meeting with Cardinal Mahoney is quite inaccurate. You may recall that when you met with the Cardinal, in my presence, the Cardinal expressed a desire to protect you from any harm or scandal resulting from your past misconduct in the current climate of disclosure. The Cardinal requested and you agreed to resign from the offices that you held. In addition, you agreed to step out of priestly ministry. The Cardinal also asked that you consider submitting a petition for a dispensation from the obligations arising from priesthood and you said that you would consider it. Specifically, you indicated that although the request was a difficult one, you would not want any further harm to come to the Church. Thus, it seems to me that your perception of the meeting is not in concert with the facts as they occurred.

Third, you seem to intimate that the Archdiocese has in some way been responsible for damaging your reputation. Such an intimation is rather far from reality. The fact of the matter is that your situation at Queen of Angels High School Seminary has not been a secret. I believe this is clearly illustrated by the incident at Epiphany Church that I am sure you will remember. A friend of one of your victims announced to people in the church building that you were a child molester. In addition, many priests who knew high-school seminarians in formation at that time knew of the criminal charges lodged against you and of the disposition of those charges. In addition, it has come to our attention that you informed individuals about your present situation by letter and email. This only increased discussion surrounding your past problems. As you know, the Cardinal has sought to avoid having the Archdiocese be the source for revealing the names of priests who have been asked to step aside from ministry. Thus, the assertion that in some way the Archdiocese is or was responsible for any damage that may have occurred to your reputation is unfounded.

Fourth, as you are aware the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance and benefits that are equal to or greater than priests who remain in active ministry. The Code presumes that every cleric who is unable to function because of past conduct will seek to obtain a means of support.

Your letter indicates that you are impeded from beginning a new career because of your age, but the letter does not articulate any attempts that you have made to begin to support yourself. For example, you indicate that no definite or long-term position or clear notion of salary or stipend has been discussed for service provided to the tribunal. To the contrary, Father Anslow has stated that he asked you to "ghost write" sentences and that a stipend of at least [redacted]er case would be given for this kind of work. It seems that it is opportune for you to explore this as well as other possibilities that may exist, given your canonical experience.

Finally, it seems that the financial arrangements that have been offered are well within reason. The Archdiocese believes that it has extended you substantial assistance for your transition from ministry. You are currently continuing to receive your monthly stipend based on the length of your service and transitional health insurance. This seems quite adequate. In addition, long-term assistance is ensured in the form of an annuity offered to you with the intention that you would have sufficient means to obtain health insurance, as well as to have some additional disposable income. The Archdiocese does not believe that any additional assistance is needed. Given the assistance that you will receive and your ability to use your canonical education, you have the means to support yourself. I trust that you will endeavor to begin this transition.

I fully realize that these days have been difficult for you as they have been for the presbyterate and the Archdiocese. Please be assured of my continual prayers for you as you begin your new life outside of ministry. If you wish to discuss this matter further with me, please do not hesitate to contact me.

Sincerely yours in Christ,

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254428

Loomis, Msgr. Richard A.

From: Gerald Fessard REDACTED
Sent: Saturday, April 27, 2002 11:00 AM
To: MsgrRALoomis@la-archdiocese.org
Cc: Craig A. Cox J. C. D.
Subject: Response to Proposal

Dick,

It has been over two weeks since your letter of April 11, stating that you would be responding to the counterproposal for financial support made in my letter of March 25. I have been waiting patiently, but cannot wait much longer before pursuing another course of action.

Thank you for your efforts in my behalf.

Gary

#5

Archdiocese of Los Angeles
Secretariat for Administrative Services (213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

April 29, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

As I acknowledge receipt of your letter of March 20, 2002 that was forwarded to me by Monsignor Craig A. Cox, I wish to take this opportunity to respond to your request for further assistance from the Archdiocese, as well as to several statements that you make regarding your recent departure from ministry. As I said in my previous letter, I appreciate your patience in awaiting this reply.

First, it is important that we do not forget the circumstances that have led to your resignation from the offices that you held and your departure from priestly ministry. As you are aware, while the situation at Queen of Angels High School Seminary may have occurred in 1987, the behavior that led to your arrest, *nolo contendere* plea and sentence of probation, though sealed, is a matter of public record and can still be accessed by any person doing a thorough, professional, criminal records search. While the Archdiocese has been generous in assisting you over these years, the present situation does not permit the Archdiocese to have in ministry any priest who has had an allegation of sexual misconduct with minors that has been deemed credible and proven. The faithful of this Archdiocese demand that those priests who minister to them be free of any history of sexual misconduct with minors. Additionally, the protection of our children and the credibility of this local church are of critical importance at this time.

Second, you indicate that your departure from ministry was "completely involuntary." This characterization of your meeting with Cardinal Mahoney is quite inaccurate. You may recall that when you met with the Cardinal, in my presence, the Cardinal expressed a desire to protect you from any harm or scandal resulting from your past misconduct in the current climate of disclosure. The Cardinal requested and you agreed to resign from the offices that you held. In addition, you agreed to step out of priestly ministry. The Cardinal also asked that you consider submitting a petition for a dispensation from the obligations arising from priesthood and you said that you would consider it. Specifically, you indicated that although the request was a difficult one, you would not want any further harm to come to the Church. Thus, it seems to me that your perception of the meeting is not in concert with the facts as they occurred.

254386

Third, you seem to intimate that the Archdiocese has in some way been responsible for damaging your reputation. Such an intimation is rather far from reality. The fact of the matter is that your situation at Queen of Angels High School Seminary has not been a secret. I believe this is clearly illustrated by the fairly recent incident at Epiphany Church that I am sure you will remember. In addition, many priests who knew high-school seminarians in formation at that time knew of the criminal charges lodged against you and of the disposition of those charges. In addition, it has come to our attention that you informed individuals about your present situation by letter and email. This only increased discussion surrounding your past problems. As you know, the Cardinal has sought to avoid having the Archdiocese be the source for revealing the names of priests who have been asked to step aside from ministry. Thus, the assertion that in some way the Archdiocese is or was responsible for any damage that may have occurred to your reputation is unfounded.

Fourth, as you are aware the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance and benefits that are equal to or greater than priests who remain in active ministry. The Code presumes that every cleric who is unable to function because of past conduct will seek to obtain a means of support.

Your letter indicates that you are impeded from beginning a new career because of your age, but the letter does not articulate any attempts that you have made to begin to support yourself. For example, you indicate that no definite or long-term position or clear notion of salary or stipend has been discussed for service provided to the tribunal. To the contrary, Father Anslow has stated that he asked you to "ghost write" sentences and that a stipend of at least [redacted] per case would be given for this kind of work. It seems that it is opportune for you to explore this as well as other possibilities that may exist, given your canonical experience.

Finally, it seems that the financial arrangements that have been offered are well within reason. The Archdiocese believes that it has extended you substantial assistance for your transition from ministry. You are currently continuing to receive your monthly stipend based on the length of your service and transitional health insurance. This seems quite adequate. In addition, long-term assistance is ensured in the form of an annuity offered to you with the intention that you would have sufficient means to obtain health insurance, as well as to have some additional disposable income. The Archdiocese does not believe that any additional assistance is needed. Given the assistance that you will receive and your ability to use your canonical education, you have the means to support yourself. I trust that you will endeavor to begin this transition.

In addition to the above financial support, we would, of course, be most willing to assist your ongoing work with your therapist. As in the past, this support can be arranged through the Vicar for Clergy Office.

I fully realize that these days have been difficult for you as they have been for the presbyterate and the Archdiocese. Please be assured of my continual prayers for you as you begin your new life outside of ministry. If you wish to discuss this matter further with me, please do not hesitate to contact me.

Sincerely yours in Christ,

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254388

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

REV. GERALD B. FESSARD

REDACTED

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* | B. Date of Delivery

C. Signature

X

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

APR 30 2002

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*
7099 3400 0006 3722 6408

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

254419

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• Sender: Please print your name, address, and ZIP+4 in this box •

Rev. Msgr. Richard A. Loomis
3424 Wilshire Blvd
Los Angeles, CA 90010-2241

254420

7099 3400 0006 3723 6408

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Rev. Gerald B. Fessard

Postage	$ 34	4-29-02 A
Certified Fee	210	
Return Receipt Fee (Endorsement Required)	150	Postmark Here
Restricted Delivery Fee (Endorsement Required)	[redacted]	
Total Postage & Fees	$ 394	

Name (Please Print Clearly) (to be completed by mailer)
MSgt. Richard A. Loomis
Street, Apt. No., or PO Box No.
3424 Wilshire Blvd
City, State, ZIP+4
Los Angeles, CA 90010-2241

PS Form 3800, July 1999 See Reverse for Instructions

254421

Loomis, Msgr. Richard A.

From: Gerald Fessard [REDACTED

Sent: Thursday, May 02, 2002 10:31 PM

To: REDACTED , Richard Loomis

Subject: Follow-Up

Dick,

I sincerely hope that, based on our phone conversation this afternoon, you will be moved to reconsider the position you stated in your recent letter concerning my financial compensation. Any fair estimation would, I believe, make it clear that what you are offering is inadequate and unrealistic, given current cost of living in the "outside" world. It is far from the "generous" financial offer made by the Cardinal, who said to me, "We will do everything possible to help you—and more."

Thank you. I look forward to hearing from you again in the very near future,

Sincerely in Christ,

Gary Fessard

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

May 7, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Father Fessard,

I am writing in response to your phone call a few days ago in order to clarify those points that you raised. I am sorry if my previous letter created any confusion. I know that the recent weeks have brought changes that are difficult for you.

To be clear in terms of financial support, you are currently receiving the regular stipend based on seniority in ordination. When the annuity is established and begins paying a monthly amount, the stipend will cease. Please understand that the corpus of the annuity will represent a substantial investment in your future by the Archdiocese.

As earlier stated, it is our intention that the monthly annuity payment would provide funds to ensure the means to obtain health insurance, as well as to provide some additional expendable income for you both now and after retirement when your pension payments would begin.

Also, to date, in addition to your monthly stipend, the Archdiocese has given you $[redacted] to aid in your transition. You made the decision to expend that assistance on living arrangements in Laguna Niguel and on the purchase of a new car.

I fully realize that the interim pay you might receive for composing sentences is not a solution to your total situation. I encourage you to continue to seek employment that will provide you with additional income and health insurance.

As I said on the phone, transitional health coverage has been extended to you by the Archdiocese for six months. The six months began on February 16, 2002, the same date that your inactive personnel status began.

At the end of that time, you may elect to continue coverage with the same insurance by accepting COBRA and continuing to pay the premiums for coverage yourself or you would be free to choose another insurance carrier.

254416

As I previously stated, the Archdiocese believes that the arrangements for your transition are generous and adequate.

Please know that you continue in my prayers in these difficult times.

PAX!



Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254417

REDACTED

May 8, 2002

Cardinal Roger Mahony
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL
CONFIDENTIAL

Your Eminence:

For the past two and a half months, I have been attempting to cooperate with your determination that I can no longer exercise ministry as a priest of the Archdiocese due to incidents which took place in my life over fifteen years ago, despite the fact that these matters have been fully resolved in the state's criminal forum and therapeutically in my personal life. In this spirit of cooperation, I resigned my position in the Tribunal, and I departed at your direction my residence and office of Chaplain at Maryknoll, Monrovia.

At the time, I was assured by you personally and by your Vicar for Clergy that I would be provided a "generous" support package which would address my financial needs in return for this cooperation. This has not yet happened, either in the original offer presented by Monsignor Craig Cox in his letter of March 8, 2002, or in the letter from Monsignor Richard Loomis, dated April 30, 2002 in reply to my counter-proposal of March 20. The package that I was originally offered was woefully inadequate in dealing with even my daily living expenses, and absolutely no provision was made to assist me long term in dealing with personal indebtedness that I am morally bound to resolve. My counter-proposal, made in consultation with and on the advice of financial, legal and canonical experts, was better designed to deal in a realistic fashion with the financial obligations that I am facing, in a manner that would assure for my financial security until such time as I am entitled to my retirement benefits.

Monsignor Loomis's response to this counter-proposal was negative in every respect and essentially made the prior offer a matter of "take it or leave it."

I have attempted to respond to your requests in a spirit of respect and obedience. However, I am most disappointed that my personal well being, most notably my support, is not being addressed in the manner in which you had assured me they would be . For this reason, I must now give serious reconsideration to the requests which you originally made of me. A number of reasons suggest this.

I would note, first of all, that there is no basis in canon law for removing me from ministry, for revoking my priestly faculties or for denying me room, board and the full

support afforded priests in good standing of the Archdiocese of Los Angeles. The incidents of which I was guilty over fifteen years ago were satisfactorily resolved at that time by the state, and I fully cooperated with the program of assessment and therapy which I have long since successfully completed. In view of this resolution, no canonical action was deemed necessary at that time to impose sanctions or penalties for my actions. Moreover, the period of prescription addressing these issues, even that period of time most recently provided for in the *motu proprio, Sanctitatis Sacramentorum Tutela,* has long since lapsed. Hence, there is no legal basis canonically for the imposition of penalties at this time for these past actions. The present climate in which we unfortunately live does not change these facts, or the rightness of the decision you made in my regard in 1987. My record and witness have proved this to be the correct decision.

Secondly, in cases of this nature in which a priest has the capacity and right to the exercise of his priestly ministry but an Ordinary has determined that he cannot or will not assign him to ministry, the Congregation for the Clergy has rendered decisions which direct that a priest in these circumstances is to be provided with full remuneration at the present time and full retirement benefits when he becomes eligible.

Finally, I am not laboring under an *infirmitas psychica* that would suggest that I am impeded from the exercise of priestly ministry on the basis of canon 1044, §2, 2°.

Given these circumstances and the rights which I enjoy under Church law as a priest in good standing, and in view of the fact that my personal needs at this time are not being adequately addressed by the Archdiocese, I must inform you that I am now giving serious consideration to the placement of a petition to initiate a process which will result in an examination of this matter by the Holy See for the purpose of seeking their resolution of my rights in these circumstances.

Your Eminence, I continue to be devoted to the priesthood and the good of the Church of this Archdiocese; and I would undertake an action of this nature only most reluctantly. At the same time, my rights as a priest who has offended in the past but who has sought forgiveness and reconciliation and then spent nearly two decades in ministry following the successful completion of programs of healing and therapy are simply being ignored. This is not right or just within the context of our Church. Hence, I am presenting you with this letter in the hope that you will address at once and in a satisfactory fashion the needs which I presented to the Vicar for Clergy in my letter of March 20, 2002. I enclose a copy of this letter, asking that you kindly give it your personal consideration. I shall be happy to provide a more detailed outline of my financial needs, prepared by my certified public accountant of more than thirty years, if you so desire.

If a resolution of this matter is not possible, I will then have no alternative but to address these issues in a formal canonical process.

In the hope that we can resolve this matter in a spirit of fraternal cooperation and respect, and with sentiments of respect and esteem, I am

Sincerely yours in Christ,

Reverend Gerald B. Fessard

Enclosure: Letter to Msgr. Craig A. Cox 3/20/02

7099 3400 0006 3722 9744

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Rev. Gerald B. Fessard

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

STATIONERS CPOE #325 90010 LOS ANGELES CA
MAY - 8 2007
Postmark Here

Name (Please Print Clearly) (to be completed by mailer)
Msgr. R. A. Loomis

Street, Apt. No.; or PO Box No.

City, State, ZIP+4

PS Form 3800, July 1999 See Reverse for Instructions

254407

RCALA 003509

CCI 000558

254405

Rev. Gerald B. Fessard

REDACTED

TO THE RIGHT OF RETURN ADDRESS
FOLD AT DOTTED LINE

CERTIFIED MAIL

7000 1530 0006 3650 9948

UNITED STATES POSTAL SERVICE

0000 90010

U.S. POSTAGE
PAID
FRAZIER PARK,CA
93225
MAY 08, '02
AMOUNT
$4.17
00037981-04

RETURN RECEIPT REQUESTED

Cardinal Roger Mahony
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL

90010+2202 40

Loomis, Msgr. Richard A.

From: Loomis, Msgr. Richard A.
Sent: Wednesday. May 08. 2002 11:18 AM
To: REDACTED
Subject: Your phone message

Please understand that after recent experience, I am not emailing any sensitive materials to anyone.

A response to your concerns is being mailed to you.

RAL

RCALA 003511

CCI 000560

254404

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Roger Loomis DATE: 5-13-02

(X) Please **REVIEW**, then **SEE ME**
( ) Please **REVIEW**, then **RETURN** to me
( ) Please **REVIEW**, then **SEND** me your **COMMENTS**
( ) Please **REVIEW**, then **FILE**

( ) Please **HANDLE** this matter **ENTIRELY**
( ) Please **ANSWER**; send copy of letter to me
( ) Please **WRITE A REPLY** for my signature
( ) For your **INFORMATION**
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REMARKS: Let's chat about this.

Thanks!

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REV. GERALD B. FESSARD

REDACTED

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Rev. Msgr. Richard A. Loomis
3424 Wilshire Blvd.
Los Angeles, CA 90010-2214

254403

CONFIDENTIAL

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

May 20, 2002

Very Rev. REDACTED J.C.L.
Archdiocese of Pittsburgh
REDACTED

Dear Father REDACTED

I find that I must turn to you again for advice. As you may recall, I sent you a blind copy of the final version of the response letter you so kindly drafted for us. Father Fessard's response was a somewhat distressed telephone call in which he

1. asked for clarification of whether he would receive both his stipend plus the amount from an annuity, and asked for the starting date of his six months of transition health insurance,
2. outlined his personal indebtedness and his need for at least $[redacted] per month just to meet living expenses,
3. his insistence that "ghostwriting" for the Tribunal would not even begin to meet other financial expenses, and
4. his assurance that he had indeed started searching for employment.

I wrote back to him on May 7, 2002. My response is among the attached letters.

On May 13, the Cardinal received a letter (dated May 8) from Father Fessard that called my response to him entirely negative and reiterated his original request for more financial support from the Archdiocese. In writing to the Cardinal, he attached a copy of his original March 20 letter.

May I ask your advice as to where we go from here? I will be happy to hear from you in whatever way you find most convenient. My office phone is on the letterhead. My home phone is REDACTED

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

Attachments

254406

Copy

REDACTED

March 20, 2002

Rev. Msgr. Craig A. Cox. J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Craig:

I am writing in response to your letter of March 8, 2002 in which you lay out the Archdiocese's offer of support and settlement connected to my recent dismissal from priestly ministry. Since I indicated to you in our phone conversation of March 10 that the provisions for support were inadequate, you requested that I submit a counter-proposal, which you agreed to relay to the appropriate persons.

I have consulted with my financial and other advisors, informing them of the provisions contained in your March 8 letter. They have confirmed my belief that this offer is completely insufficient for my needs in light of the circumstances, and they have assisted me in formulating the following response and proposal.

Preliminary Considerations

First, it must be noted that my departure from ministry is completely involuntary. Despite my serious failings, I have ministered effectively and positively for nearly thirty years, as can be attested by countless faithful. Moreover, in the exercise of ministry during the past fifteen years, I have cooperated fully with the directions of the Cardinal in facing the issues of my past, satisfying completely the penalties imposed by the civil authority for my actions, undergoing a full program of inpatient treatment in an institution chosen by the Archdiocese, as well as years of outpatient individual and group therapy with professionals chosen by the Archdiocese, as well as those of my own choosing. My record of fifteen years, as well as my present therapist, will testify that I am no longer a threat to any minor.

I am grateful that the Cardinal and other archdiocesan authorities chose to deal with my issues fifteen years ago following the principles enunciated in Canon 1341. In doing this so successfully in my regard, no canonical penalty was needed or imposed. Despite these facts of history, I have been removed from ministry and residence and have been asked to resign my offices. Moreover, since leaving, my good reputation has been damaged if not destroyed among the priests of the Archdiocese, as well as many of the lay faithful.

As you are well aware, the Cardinal is asking my cooperation in departing ministry, and he is asking me to petition for dispensation from the obligations of priesthood, as you put it, "for your own welfare and that of the Church." If I do so cooperate, and if papal dispensation is granted, this of course would end most of the obligations of the Archdiocese to me for remuneration and

support. Therefore, my cooperation with the Cardinal's wishes must seriously address my financial welfare and must be realistic in respect to my age, health problems and earning capability. Otherwise, I cannot accept such a path as being truly "for my welfare." The present offer of the Archdiocese is neither realistic in these respects, nor is it "generous" as I have been assured it would be by the Cardinal on at least two occasions.

Transitional Support

The $30,000 advanced to me by the Archdiocese thus far has enabled me to purchase a car and to meet the initial expenses of rent and some furnishings and supplies. After the purchase of these initial essentials, there remains less than [redacted] of this "gift." You indicated verbally on one occasion that this amount is "standard" for priests taking leave of absence from ministry, i.e., "$1000 for each year of ordination." You also stated in your letter that this and the other features of your offer "is consistent with the kind of support given to our priests in retirement and medical disability." I must point out that my situation fits into none of these three categories. Again, since my departure from ministry is both sudden and involuntary, I have not been able to plan and provide for personal needs and to discharge personal debts I have accrued. The amount offered thus far does not begin to assist me to do this.

As I stated to you in our previous meeting, I have personal debts in the neighborhood of $[redacted], including that owed to the Archdiocese, which in your letter you stated you are prepared to forgive. In order to be able to get on any kind of sound financial footing to face the future, I must have assistance in discharging these debts.

In addition, as you know, there is my obligation to our jointly-owned home in Pine Mountain Club, which I have expected to maintain for my retirement needs, and which I could have maintained, had I been allowed to remain active.

Thirdly, given your stated limit of archdiocesan medical coverage to six months, I must have a principal amount that would enable me to afford in future the full medical coverage I now have. I will address the issue of medical coverage again later in this letter.

There is also the need for me to be able to put away some savings for unforeseen needs and also perhaps to have an alternative housing arrangement, such as leasing with option to buy or ownership, so that I do not throw rent money away monthly without building some equity.

Given these realities, I am asking for a settlement sum of at least $[redacted] for each year of ordination, or a total of [redacted] of which has already been advanced.

Monthly Income

You have stated the willingness of the Archdiocese to provide for me an annuity that would pay a monthly allocation [redacted]. You state that this amount "will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment." My monthly allotment should be at least a full retirement pension, including the amount of the priests' pension and the amount equivalent to that which I would receive from Social Security, at least until the age when that benefit actually becomes available to me from the government. Your present offer does not even equal that which I had received as an active priest, when room, board, car use, maintenance and insurance were provided. My monthly allotment, in addition to helping me meet the costs of room and board, car maintenance, health

care and other personal needs not covered by health insurance, car and personal property insurance, charitable donations, clothing, recreation, etc., must also compensate for the additional federal and state income tax, Social Security obligations, etc. that I will incur by virtue of being in a higher tax bracket. In trying to come up with a reasonable amount to meet my needs, I am starting from a salary figure offered to priests in another diocese ordained approximately the same length of time, where the priest is obliged to purchase and maintain his own car, insurance, etc.

At age 55, though perhaps theoretically possible, in light of my being forced out of ministry it is neither realistic nor just to expect me to find an entirely new career or position in life. It is my hope to supplement income afforded by the Archdiocese by using my Canon Law background, training and expertise, as the Cardinal and others have encouraged me to do. However, as yet no definite or long-term position of this nature, and certainly no clear notion of salary or stipends to be available to me in exercising this canonical ministry, have been set in place. It is unclear, given the present climate in the Church, whether a person in my position would be welcome to undertake such a mission here or in another diocese, as much as I would wish to do so.

Nonetheless, hopefully I can find such employment, such that I would not have to expect the Archdiocese to subsidize more than half of my annual income needs. **With this in mind, I am asking that the annuity provided by the Archdiocese generate a monthly income for me of [redacted], at least until I reach age 65. At that point, I would revert to my Social Security and full priests' retirement pension. I also ask that the Archdiocese commit in writing to an arrangement whereby I may assist the Tribunal as an independent contractor and consultant, with reasonable stipends for services rendered.**

Health Insurance

Your offer states that I would continue to receive health insurance coverage under the archdiocesan medical plan (RETA), not including reimbursement for the deductible or other non-covered health expenses for six months. Though your letter does not specify, I assume that this coverage is the standard priests' indemnity plan, including dental and vision care, and prescription coverage. I also assume that this covers cost of necessary psychological counseling. I would appreciate your clarifying this at the earliest opportunity, so that I will know more accurately what costs I am expected to shoulder.

I further assume that, at the end of six months, all costs of health insurance would fall to me, according to your proposal.

This "offer" overlooks several critical points, among them the existence of my health and vision problems that require regular treatment and also lifelong expensive prescription medications. **Given these realities, I must state that, without the Archdiocese's continuing to provide permanently the full present level of my medical coverage, any thought of my seeking laicization is neither realistic nor possible, since remaining in the clerical state would then be the only means of assuring and protecting my right to adequate health care coverage.**

In conclusion, I believe that the above requests both reflect the new and particular situation that my requested departure from active ministry represents, and they also constitute more adequately the "generous package" promised by the Cardinal in our meeting. I sincerely hope that the Archdiocese will meet these provisions, and I will be happy to discuss them further at the earliest opportunity. Thank you, Craig, for your fraternal concern and assistance.

Sincerely in Christ,

Rev. Gerald B. Fessard

REDACTED

REDACTED

May 21, 2002

VIA FACSIMILE AND U.S. MAIL

Privileged & Confidential

Monsignor Craig Cox
Vicar of the Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Father Gary Fessard

Dear Monsignor Cox:

I represent Father Gary Fessard. In 1987 Father Fessard was the subject of a criminal inquiry which was resolved by a plea bargain with the District Attorney's Office.

It is my understanding that the Archdiocese has been contacted by the Los Angeles District Attorney's Office requesting the production of the personnel files of some Los Angeles priests who have been the subjects of misconduct allegations. I am writing upon the assumption that Father Fessard's file may be one of the files sought by the District Attorney.

On Father Fessard's behalf, I hereby direct and instruct you to assert those privileges of Father Fessard's applicable to data in the Archdiocese's possession, as against the production of those materials. Specifically, I believe Father Fessard's personnel file includes confidential psychological/psychiatric information as well as medical information. That information is protected against disclosure by Federal law, (Title 42 United States Code Section 290) and California Civil Code Section 56, *et seq.*

RECEIVED
MAY 23 2002
BY:

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REDACTED

Additionally, under California case law authority, any statement or information provided by Father Fessard to the Archdiocese including any information which was the subject of an Archdiocese inquiry is protected against disclosure. See Chadborne v. Superior Court, (1964) 50 Cal.2nd 723; and People v. Superior Court (real party in interest Laff), 25 Cal.4th 703. While I don't wish to be unduly intrusive by demanding that you assert these privileges, these privileges must be asserted by the party in possession of the data. See California Evidence Code Section 955.

If you have any questions regarding this matter, please don't hesitate to give me a call.

Sincerely,

REDACTED

REDACTED

A0018349.WPD

254510

REDACTED

May 21, 2002

REDACTED

VIA FACSIMILE AND U.S. MAIL

Privileged & Confidential

REDACTED
Vicar of the Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Father Gary Fessard

Dear REDACTED

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MAY 23 2002
BY:

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REDACTED

REDACTED REDACTED

Additionally, under California case law authority, any statement or information provided by Father Fessard to the Archdiocese including any information which was the subject of an Archdiocese inquiry is protected against disclosure. See Chadborne v. Superior Court, (1964) 50 Cal.2nd 723; and People v. Superior Court (real party in interest Laff), 25 Cal.4th 703. While I don't wish to be unduly intrusive by demanding that you assert these privileges, these privileges must be asserted by the party in possession of the data. See California Evidence Code Section 955.

If you have any questions regarding this matter, please don't hesitate to give me a call.

Sincerely,

REDACTED

REDACTED

A0018349.WPD

COPY

Archdiocese of Los Angeles | Office of Vicar for Clergy (213) 637-7284 | 3424 Wilshire Boulevard | Los Angeles California 90010-2241

May 22, 2002

REDACTED

Dear REDACTED

This is to acknowledge your letter of May 21 concerning the clergy personnel record of Father Gerald B. Fessard. I have arranged that copies of your letter be placed in Father Fessard's file as wel las provided a copy to [redacted].

Thank you for writing. May God bless you!

Sincerely yours,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

cc: Reverend Gerald B. Fessard

4759

REDACTED

REDACTED

June 3, 2002

Monsignor Craig Cox
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Father Gary Fessard

Dear Monsignor Cox:

This letter follows our conversation of last week. I am writing to request that I be provided with a copy of Father Fessard's personnel file. By separate communication, Father Fessard will authorize you to provide the confidential materials in his personnel file to me as his counsel.

Sincerely,

REDACTED

REDACTED

cc: Father Gary Fessard

4756

RECEIVED
JUN 4 - 2002
BY:

A0018887.WPD

REDACTED

June 4, 2002

Rev. Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Craig:

This is to advise you that I am currently represented by REDACTED and associated legal counsel of REDACTED in all matters involving my rights under U.S. law.

I also wish to request at this time that you immediately release to REDACTED a complete copy of my personnel file currently held by the Archdiocese of Los Angeles, together with any and all other relevant documents, notes of meetings, correspondence, etc. held by the Archdiocese to which I may be entitled under the Freedom of Information Act and not subject to the rules of attorney-client privilege.

Thank you very much for your prompt attention to this request.

Sincerely in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: REDACTED

RECEIVED
JUN 6 - 2002
BY:

4752

COPY

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

June 5, 2002

Reverend Gary B. Fessard
REDACTED
REDACTED

Dear Gary,

REDACTED has forwarded a letter to me from REDACTED D.M.D., to which is attached a statement of charges. I am sending a copy of the statement with this letter.

In regard to the statement, I must point out to you that the letter Monsignor Cox sent to you on March 8, 2002, stated that you would continue to be covered under the Archdiocesan medical insurance for six months. It also stated, "You will not be eligible, however, for reimbursement of the deductible or other expenses that are not covered by the insurance program."

The statement shows charges of [redacted]om February 27, 2002. It also shows an insurance payment of [redacted]toward that amount. I have requested that a check be sent to REDACTED for the difference [redacted]). Charges incurred after March 8 are not eligible for reimbursement.

Any portion of the charges shown on the statement from May 16, 2002, that are not paid by insurance will be your own responsibility as spelled out in Monsignor Cox's letter of March 8. It would be helpful if you could notify REDACTED that future statements should be sent directly to your attention.

Please be assured of my prayers.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

Attachment

254358

REDACTED

June 8, 2002

Rev. Msgr. Richard A. Loomis
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Dick:

I have received your letter of June 5 concerning correspondence from my dentist, Dr. REDACTED, D.M.D., including a statement of his current charges for services.

First, let me say that I also received a bill from him, as has been customary, for the same charges, and I submitted also on 6/5 a request to Margarita for payment for the $[redacted] not covered by our insurance. It appears that our letters crossed in the mail. Thank you for facilitating this payment. However, we should note that the letter from REDACTED office was intended primarily to inform the Archdiocese that I would need to see him three times a year rather than two, as covered by insurance. Thus, additional costs could be expected. The letter itself was not a request for payment, since the statement had been addressed to me.

Secondly, I must point out to you that, in the absence of a reasonable or acceptable response from you in our recent correspondence concerning the terms of my financial support, I have appealed the offer contained in Monsignor Cox's letter of March 8, 2002 to Cardinal Mahony in a letter sent to him by certified mail and dated May 8. Having heard no response from him as of this date, I can only assume that the matter is still under his review, and thus the terms of the original offer remain unacceptable, for reasons already made clear.

Pending final satisfactory resolution of these issues of my financial support, I will continue to submit requests for payment of necessary health care services not covered by our insurance to the office of the Vicar for Clergy, as provided for all archdiocesan priests.

Sincerely in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: Rev. Msgr. Craig A. Cox, J.C.D.
Rev. Msgr. Terrance L. Fleming, S.T.D., V.G.
REDACTED

254359

COPY

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7284
3424 Wilshire Boulevard
Los Angeles California 90010-2241

June 15, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

Upon receipt of your letter of June 4, 2002, I directed that a copy of your file be made. As you requested, I am forwarding that copy to REDACTED

You continue to be in my prayers.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

cc: REDACTED

4751

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

June 15, 2002

CONFIDENTIAL

REDACTED

Dear REDACTED

As requested by Father Gerald B. Fessard in his letter of June 4, 2002, I am forwarding to you a copy of the materials in Father Fessard's clergy file.

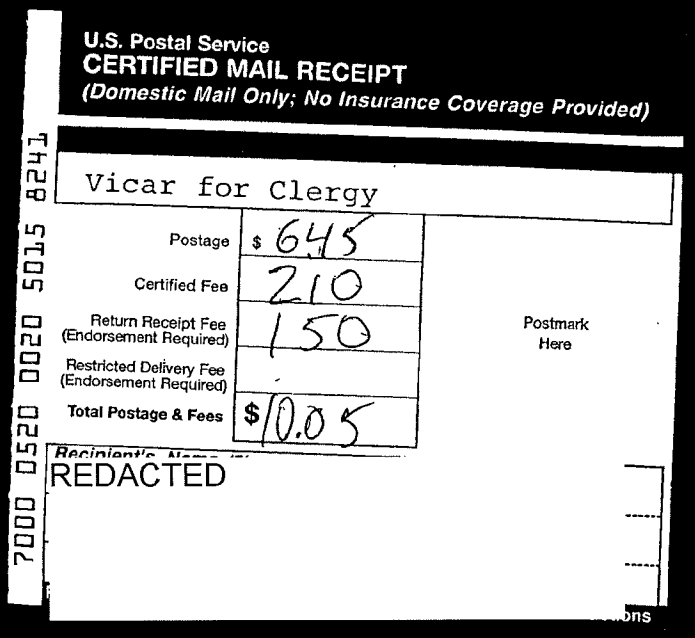
I am glad to be of service in this matter.

Sincerely yours,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

cc: Reverend Gerald B. Fessard

4753



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REDACTED

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June 24, 2002

Very Reverend REDACTED
Archdiocese of Pittsburgh
REDACTED

Dear FatherREDACTED

Attached please find the most recent correspondence from Father Fessard and a draft reply to it.

In his letter, he insists on reimbursement for medical costs not covered by insurance "as provided for all archdiocesan priests.". By way of explanation, we have an antiquated compensation system for priests. Our salaries are quite low but we have "perks" like this one – being reimbursed by our source of salary (the parish, office, school, etc., to which a priest is assigned) for the deductible and for charges in excess of insurance coverage.

However, what he requests is not in accord with our practice, as my draft reply outlines. For many years, priests not in active ministry have not been reimbursed for the deductible or for costs in excess of insurance coverage.

Also, please note in his letter that he considers his May 8 letter to Cardinal Mahony (I sent you a copy previously) an appeal directly to his diocesan bishop. The Cardinal has made no reply at this time.

So, I guess my questions are:

1. Will my draft reply cause difficulties?
2. Does his "appeal" move things to a next step?

Sorry this letter to you is so far after Father Fessard's letter, but like most Archdioceses, we have been a little busy lately.

PAX!

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

Attachments

254373

DRAFT

June 24, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Gary,

I received your June 6 letter. I think there is some misunderstanding concerning the portion of Monsignor Cox's March 8 letter. The portion of his letter that states, "You will not be eligible, however, for reimbursement of the deductible or other expenses not covered by the insurance program," is simply a statement of the ordinary practice and policy of the Archdiocese in regard to priests who are not in an assignment. It is not part of any "offer" or "package" of financial support.

Every priest not active in ministry is notified of this change during his transition out of his last assignment. The Archdiocese neither pays nor reimburses for the deductible or other expenses not covered by the insurance program. The reimbursement policy applies to priests in active ministry.

My goal in writing to you is simply to try to save you any embarrassment surrounding your medical or dental bills. It would be most helpful if you would please notify REDACTED and your other health care providers that future statements should be sent directly to your attention.

Please be assured of my prayers.

Decision:
not read at this
time.
RAL

PAX!

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254372

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

25 June, 2002

PROT. N. 223/02-17038
(In responsione fiat mentio huius numeri)

Your Eminence,

The Congregation for the Doctrine of the Faith has studied the acts pertaining to the case of the **Reverend Gerald B. FESSARD**, a priest of the Archdiocese of Los Angeles, who has expressed his desire to have recourse to this Dicastery against the remuneration currently accorded to him by the Archdiocese.

Having carefully examined all the elements of the case, the Congregation has concluded that it would not be opportune to grant the recourse presented by Fr. Fessard. A letter is enclosed informing Fr. Fessard of this decision, which Your Eminence is kindly requested to forward.

In Your Eminence's letter of 6 April, 2003, you referred to some additional information in your possession, relating to your stated wish to request dismissal from the clerical state in the case of Fr. Fessard and two other priests of your archdiocese. The Congregation looks forward to receiving this material in due course.

I take this opportunity to offer Your Eminence my sincere respects and with every best wish, I remain,

Yours devotedly in the Lord

† Joseph Card. Ratzinger

(enclosure)

His Eminence
Roger Cardinal MAHONY
Archbishop of LOS ANGELES
555 West Temple Street,
Los Angeles
CA 90012
STATI UNITI D'AMERICA

253354

REDACTED

COPY

August 19, 2002

His Eminence, Joseph Cardinal Ratzinger
Prefect
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00120 Vatican City **EUROPE**

Your Eminence,

I am presenting this petition for hierarchic recourse to the Congregation for the Doctrine of the Faith in virtue of the competence of this esteemed Congregation to examine issues related to the *graviora delicta* defined in the *motu proprio, Sacramentorum Sanctitatis Tutela.* The specific reason for the presentation of this petition is due to the refusal of His Eminence, Roger Cardinal Mahony, Archbishop of Los Angeles, to grant a petition which I have presented to him in accord with canon 57, §1, on July 8, 2002. A negative response to this petition was communicated to me by the Vicar General of the Archdiocese of Los Angeles, Reverend Msgr. Terrance L. Fleming, and received by me on August 15, 2002. Therefore, in accord with canon 1737, §2, I am presenting this petition seeking the revocation of Cardinal Mahony's decision.

Briefly summarizing the events and circumstances which have necessitated this action: on February 12, 2002, at an appointment with Cardinal Mahony, he requested that I resign all offices that I held in the Archdiocese of Los Angeles due to incidents of sexual misconduct on my part that had occurred in 1987. Additionally, he directed me to depart my residence with the Maryknoll Sisters in Monrovia, California; and he requested that I present a petition to the Holy Father to return to the lay state, stating that due to a "new standard of measurement," there would never again be an opportunity for me to serve in any form of priestly ministry. In making these requests, he assured me that I would continue to receive a "generous" support package addressing my financial needs.

Addressing the incidents that took place in 1987, I fully acknowledge my responsibility for these sinful actions. This entire matter was completely resolved, however, at that time to the satisfaction of the persons whom I offended and the civil authorities of the State of California. I additionally complied with Cardinal Mahony's requests that I undertake therapy and spiritual direction addressing this misconduct. When I successfully completed these programs, I was returned to priestly ministry with certain restrictions with which I have fully complied. It was not deemed necessary or appropriate to impose canonical sanctions on me for these offenses, as the conditions noted in canon 1341 were addressed in a satisfactory manner.

In a spirit of reverence and obedience, however, I did comply with Cardinal Mahony's request and did submit on February 14, 2002, the resignations that he requested (Document 1); and I departed my residence with the Maryknoll Sisters. On February 15, 2002, Cardinal Mahony formally accepted my resignations (Document 2).

254375

Since I do remain completely dedicated to the ministry of the priesthood, I was not willing, however, to petition for a dispensation from the obligations arising from Sacred Orders.

On March 8, 2002, I received from the Vicar for Clergy a letter in which he explained to me what my future support would entail (Document 3). Since priests of the Archdiocese of Los Angeles do not own their own automobiles, I was provided with an immediate gift of $[redacted] for the purpose of purchasing an automobile and an additional $[redacted] to meet other immediate expenses such as room and board since I now had to provide for my own residence. However, due to the fact that the financial package being offered by the Archdiocese was completely inadequate in addressing my continuing expenses due to the high cost of living in southern California, I presented the Vicar for Clergy with a request on March 18, 2002, that my support be adjusted in light of the actual expenses that I was facing (Document 4).

On April 29, 2002, I received a response to this request from the Director of the Secretariat for Administrative Services informing me that, due to the circumstances that had led to my resignation from office, the Archdiocese would not provide me with additional assistance (Document 5). I would also note that the offer that I "ghost write" sentences for the Metropolitan Tribunal as a source of income that is noted in his letter has since been withdrawn. In a subsequent letter dated May 7, 2002, the Director also informed me that my health insurance would be discontinued in August of 2002 (Document 6).

Since the actions of the Archdiocese were not consistent with the Cardinal's assurances that I would be treated in an equitable and even "generous" fashion but were, in fact, penal in nature, I wrote directly to the Cardinal on May 8, 2002, asking that he address the issue of my adequate support (Document 7); and in support of this request I also presented him with an assessment of my income and expenses (Document 8). I did not receive a response to this letter.

Two months later, on July 7, 2002, I then presented Cardinal Mahony with a formal petition requesting a decree that would either return me to the full exercise of the priestly ministry as a priest in good standing or assure that I would receive adequate support and benefits if I am not to be permitted the exercise of my priestly ministry (Document 9). As noted at the outset of this petition, I have now received from the Vicar General a response to this petition indicating that Cardinal Mahony has denied the requests that I have made (Document 10).

As I expressed in my petition to the Cardinal, despite his verbal assurances to the contrary, the actions which have been taken in my regard have, in fact, constituted the unjust application of expiatory penalties improperly denying me even the basic sustenance that I require in order to provide for my living expenses. As such, these actions constitute a complete disregard of canon 221, §3, by imposing *de facto* expiatory penalties without due process of law.

Additionally, the imposition of penalties for these past actions at the present time fails to take into consideration the successful resolution of these matters in accord with the principles enunciated in canon 1341 and expressed by the Most Holy Father in his address to the American Cardinals in April of this year. Moreover, during the Jubilee Year two years ago, I wrote to Cardinal Mahony on March 12, 2000, in the spirit of canon 384 for the purpose of expressing my gratitude for his message of forgiveness and healing to which we are called in the New Millennium, especially in light of my own failings for which I again apologized (Document 11). The Cardinal acknowledged my letter on March 22, 2000, accepting my apology and supporting my continuing priestly ministry (Document 12).

I would also note that the period of prescription expressed in *Sacramentorum Sanctitatis Tutela,* art. 5, §2, which permits initiating a penal action for a period of ten years beyond a minor's eighteenth birthday has long since lapsed, as the individuals whom I offended are well past the age of twenty-eight years at the present time.

Your Eminence, I fully understand the concerns which Cardinal Mahony has relative to my sinful actions of fifteen years ago. I deeply regret these actions and have spent the past fifteen years attempting to rebuild my life in the service of the Church. There has been no repetition of this type of sinful misconduct on my part, and I am aware of no new complaints or reports being made to the Archdiocese relative to these past incidents.

In a spirit of reverence and obedience, I am willing to accept the Cardinal's desire that I refrain from all public ministry; however, in view of the fact that I remain completely dedicated to the priesthood, it is improper for the Cardinal by reason of canon 281 to permit the discontinuation of my medical benefits and the extreme limitation of my financial support which will eventually leave me completely destitute. It is the purpose of my petition, therefore, to ask that the Congregation for the Doctrine of the Faith direct His Eminence to provide me with sufficient remuneration, so as to allow me to meet my obligations and living expenses in accord with the financial report which I presented to the Cardinal with my original petition. In the alternative, I would request that the esteemed Congregation direct Cardinal Mahony to permit me to return to the public exercise of my priestly ministry by reason of the past resolution of these matters and in virtue of canon 1341, in order that I might be assured the rights and benefits afforded priests in ministry, including room and board. This will provide me with the ability to meet my financial needs through my service of the Christian faithful to whom I have dedicated my life and service as a priest.

I am prepared to cooperate fully in the Congregation's examination of this difficult matter. If it would be of assistance, I am prepared to provide Your Eminence with a report from my therapist who will attest to the fact that the issues of my past have been fully resolved and that I am not manifesting any problems at this time which would give rise to the repetition of misconduct of this nature. In closing, I do want to assure Your Eminence that I have provided Cardinal Mahony with a copy of this petition in its entirety.

With gratitude for the careful examination that this difficult matter will be afforded and with sentiments of the greatest respect and esteem, I am

Sincerely yours in Christ,

Reverend Gerald B. Fessard

cc: His Eminence, Roger Cardinal Mahony

254377

INDEX OF ACCOMPANYING DOCUMENTS

1. Letter Reverend Gerald B. Fessard to His Eminence, Cardinal Roger Mahony, dated February 14, 2002;

2. Letter of His Eminence, Cardinal Roger Mahony, to Reverend Gerald B. Fessard dated February 15, 2002;

3. Letter of Reverend Msgr. Craig A. Cox to Reverend Gerald B. Fessard dated March 8, 2002;

4. Letter of Reverend Gerald B. Fessard to Reverend Msgr. Craig A. Cox dated March 20, 2002;

5. Letter of Reverend Msgr. Richard A. Loomis to Reverend Gerald B. Fessard dated April 29, 2002;

6. Letter of Reverend Msgr. Richard A. Loomis to Reverend Gerald B. Fessard dated May 7, 2002;

7. Letter of Reverend Gerald B. Fessard to His Eminence, Cardinal Roger Mahony, dated May 8, 2002;

8. Balance Sheet, February - June 2002;

9. Letter of Reverend Gerald B. Fessard to His Eminence, Cardinal Roger Mahony, dated July 7, 2002;

10. Letter of Reverend Msgr. Terrance L. Fleming to Reverend Gerald B. Fessard dated August 9, 2002;

11. Letter of Reverend Gerald B. Fessard to His Eminence, Cardinal Roger Mahony, dated March 12, 2000;

12. Letter of His Eminence, Cardinal Roger Mahony, to Reverend Gerald B. Fessard dated March 22, 2000.

#1

FILE COPY

Archdiocese of Los Angeles | Office of the Archdiocesan Tribunal (213) 637-7245 | 3424 Wilshire Boulevard | Los Angeles California 90010-2241

His Eminence Cardinal Roger M. Mahony
Archbishop of Los Angeles
Archdiocesan Catholic Center
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL

February 14, 2002

Your Eminence:

Following upon our meeting of last Tuesday, February 12, 2002, I am hereby submitting my resignation from the following offices:

Adjutant Judicial Vicar
Delegate in Matrimonial Matters
Judge and Defender of the Bond
Advocate
Notary
Chaplain to Maryknoll Sisters, Monrovia

I offer these resignations to be effective Saturday, February 16, 2002. I thank you for your confidence in appointing me to serve in these offices, and I trust that the Lord has blessed my service with some effectiveness.

Sincerely in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: Rev. Msgr. Craig A. Cox, J.C.D.
RevREDACTED J.C.L.
Sr.REDACTED

254379

#2

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2241

February 15, 2002

PERSONAL

Rev. Gerald B. Fessard, M.A., J.C.L.

Dear Father Fessard:

I have received your letter dated February 14, 2002 in which you submit your resignation, effective February 16, 2002, from the following offices:

1. Adjutant Judicial Vicar
2. Delegate in Matrimonial Matters
3. Judge and Defender of the Bond
4. Advocate
5. Notary
6. Chaplain to the Maryknoll Sisters, Monrovia

I am grateful to you for your diligent carrying out of these special offices for the good of the Church.

Sincerely yours in Christ,

+ Roger Card. Mahony

His Eminence
Cardinal Roger M. Mahony
Archbishop of Los Angeles

j

254380

#3

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7284
3424 Wilshire Boulevard
Los Angeles California 90010-2241

March 8, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

This is to put on paper for you the information I communicated to you on the telephone a little earlier this afternoon.

First, the Cardinal renews his request, made to you personally, that you present a petition for laicization. He asks you to present this for your own welfare and that of the Church.

As transitional support, the Archdiocese is making a gift to you of [redacted] thousand dollars [redacted] This will enable you to purchase an automobile, pay first and last months' rent and secure some of the necessities you may need. [redacted] thousand dollars ($[redacted] of this amount was already advanced to you. Enclosed is a check for the additional [redacted] thousand dollars [redacted]

For the next six months, you will continue to be maintained under the Archdiocesan medical insurance coverage (RETA). You will not be eligible, however, for reimbursement of the deductible or other expenses that are not covered by the insurance program.

You are vested in the Archdiocesan Priest's pension program. You will be able to draw on the monthly pension benefit beginning at age sixty-five.

Beyond the immediate assistance that is being provided at this time, the Archdiocese proposes to recognize and respond to certain hardships related to your leave of absence. We are prepared to arrange an annuity that would pay you [redacted] month. Between now and age sixty-five, that amount will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment. Once you begin drawing on the pension fund, the annuity payment continues, more than making up the difference in the amount you would have received had you continued in service until age seventy.

We are also prepared to forgive the balance of the loan you owe to the Archdiocese. The current balance is [redacted]

We believe this is a fair package, one that is consistent with the kind of support given to our priests in retirement and medical disability.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

254381

enclosure: check

#4

8 Terrace Circle
Laguna Niguel, CA 92677-4115

March 20, 2002

Rev. Msgr. Craig A. Cox. J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Craig:

I am writing in response to your letter of March 8, 2002 in which you lay out the Archdiocese's offer of support and settlement connected to my recent dismissal from priestly ministry. Since I indicated to you in our phone conversation of March 10 that the provisions for support were inadequate, you requested that I submit a counter-proposal, which you agreed to relay to the appropriate persons.

I have consulted with my financial and other advisors, informing them of the provisions contained in your March 8 letter. They have confirmed my belief that this offer is completely insufficient for my needs in light of the circumstances, and they have assisted me in formulating the following response and proposal.

Preliminary Considerations

First, it must be noted that my departure from ministry is completely involuntary. Despite my serious failings, I have ministered effectively and positively for nearly thirty years, as can be attested by countless faithful. Moreover, in the exercise of ministry during the past fifteen years, I have cooperated fully with the directions of the Cardinal in facing the issues of my past, satisfying completely the penalties imposed by the civil authority for my actions, undergoing a full program of inpatient treatment in an institution chosen by the Archdiocese, as well as years of outpatient individual and group therapy with professionals chosen by the Archdiocese, as well as those of my own choosing. My record of fifteen years, as well as my present therapist, will testify that I am no longer a threat to any minor.

I am grateful that the Cardinal and other archdiocesan authorities chose to deal with my issues fifteen years ago following the principles enunciated in Canon 1341. In doing this so successfully in my regard, no canonical penalty was needed or imposed. Despite these facts of history, I have been removed from ministry and residence and have been asked to resign my offices. Moreover, since leaving, my good reputation has been damaged if not destroyed among the priests of the Archdiocese, as well as many of the lay faithful.

As you are well aware, the Cardinal is asking my cooperation in departing ministry, and he is asking me to petition for dispensation from the obligations of priesthood, as you put it, "for your own welfare and that of the Church." If I do so cooperate, and if papal dispensation is granted, this of course would end most of the obligations of the Archdiocese to me for remuneration and

support. Therefore, my cooperation with the Cardinal's wishes must seriously address my financial welfare and must be realistic in respect to my age, health problems and earning capability. Otherwise, I cannot accept such a path as being truly "for my welfare." The present offer of the Archdiocese is neither realistic in these respects, nor is it "generous" as I have been assured it would be by the Cardinal on at least two occasions.

Transitional Support

The [redacted] advanced to me by the Archdiocese thus far has enabled me to purchase a car and to meet the initial expenses of rent and some furnishings and supplies. After the purchase of these initial essentials, there remains less than $[redacted] of this "gift." You indicated verbally on one occasion that this amount is "standard" for priests taking leave of absence from ministry, i.e., [redacted] for each year of ordination." You also stated in your letter that this and the other features of your offer "is consistent with the kind of support given to our priests in retirement and medical disability." I must point out that my situation fits into none of these three categories. Again, since my departure from ministry is both sudden and involuntary, I have not been able to plan and provide for personal needs and to discharge personal debts I have accrued. The amount offered thus far does not begin to assist me to do this.

As I stated to you in our previous meeting, I have personal debts in the neighborhood of $[redacted], including that owed to the Archdiocese, which in your letter you stated you are prepared to forgive. In order to be able to get on any kind of sound financial footing to face the future, I must have assistance in discharging these debts.

In addition, as you know, there is my obligation to our jointly-owned home in Pine Mountain Club, which I have expected to maintain for my retirement needs, and which I could have maintained, had I been allowed to remain active.

Thirdly, given your stated limit of archdiocesan medical coverage to six months, I must have a principal amount that would enable me to afford in future the full medical coverage I now have. I will address the issue of medical coverage again later in this letter.

There is also the need for me to be able to put away some savings for unforeseen needs and also perhaps to have an alternative housing arrangement, such as leasing with option to buy or ownership, so that I do not throw rent money away monthly without building some equity.

Given these realities, I am asking for a settlement sum of at least $[redacted] for each year of ordination, or a total of [redacted] of which has already been advanced.

Monthly Income

You have stated the willingness of the Archdiocese to provide for me an annuity that would pay a monthly allocation of [redacted] You state that this amount "will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment." My monthly allotment should be at least a full retirement pension, including the amount of the priests' pension and the amount equivalent to that which I would receive from Social Security, at least until the age when that benefit actually becomes available to me from the government. Your present offer does not even equal that which I had received as an active priest, when room, board, car use, maintenance and insurance were provided. My monthly allotment, in addition to helping me meet the costs of room and board, car maintenance, health

care and other personal needs not covered by health insurance, car and personal property insurance, charitable donations, clothing, recreation, etc., must also compensate for the additional federal and state income tax, Social Security obligations, etc. that I will incur by virtue of being in a higher tax bracket. In trying to come up with a reasonable amount to meet my needs, I am starting from a salary figure offered to priests in another diocese ordained approximately the same length of time, where the priest is obliged to purchase and maintain his own car, insurance, etc.

At age 55, though perhaps theoretically possible, in light of my being forced out of ministry it is neither realistic nor just to expect me to find an entirely new career or position in life. It is my hope to supplement income afforded by the Archdiocese by using my Canon Law background, training and expertise, as the Cardinal and others have encouraged me to do. However, as yet no definite or long-term position of this nature, and certainly no clear notion of salary or stipends to be available to me in exercising this canonical ministry, have been set in place. It is unclear, given the present climate in the Church, whether a person in my position would be welcome to undertake such a mission here or in another diocese, as much as I would wish to do so.

Nonetheless, hopefully I can find such employment, such that I would not have to expect the Archdiocese to subsidize more than half of my annual income needs. **With this in mind, I am asking that the annuity provided by the Archdiocese generate a monthly income for me of [redacted] at least until I reach age 65. At that point, I would revert to my Social Security and full priests' retirement pension. I also ask that the Archdiocese commit in writing to an arrangement whereby I may assist the Tribunal as an independent contractor and consultant, with reasonable stipends for services rendered.**

Health Insurance

Your offer states that I would continue to receive health insurance coverage under the archdiocesan medical plan (RETA), not including reimbursement for the deductible or other non-covered health expenses for six months. Though your letter does not specify, I assume that this coverage is the standard priests' indemnity plan, including dental and vision care, and prescription coverage. I also assume that this covers cost of necessary psychological counseling. I would appreciate your clarifying this at the earliest opportunity, so that I will know more accurately what costs I am expected to shoulder.

I further assume that, at the end of six months, all costs of health insurance would fall to me, according to your proposal.

This "offer" overlooks several critical points, among them the existence of my health and vision problems that require regular treatment and also lifelong expensive prescription medications. **Given these realities, I must state that, without the Archdiocese's continuing to provide permanently the full present level of my medical coverage, any thought of my seeking laicization is neither realistic nor possible, since remaining in the clerical state would then be the only means of assuring and protecting my right to adequate health care coverage.**

In conclusion, I believe that the above requests both reflect the new and particular situation that my requested departure from active ministry represents, and they also constitute more adequately the "generous package" promised by the Cardinal in our meeting. I sincerely hope that the Archdiocese will meet these provisions, and I will be happy to discuss them further at the earliest opportunity. Thank you, Craig, for your fraternal concern and assistance.

Sincerely in Christ,

Rev. Gerald B. Fessard

#5

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

April 29, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

As I acknowledge receipt of your letter of March 20, 2002 that was forwarded to me by Monsignor Craig A. Cox, I wish to take this opportunity to respond to your request for further assistance from the Archdiocese, as well as to several statements that you make regarding your recent departure from ministry. As I said in my previous letter, I appreciate your patience in awaiting this reply.

First, it is important that we do not forget the circumstances that have led to your resignation from the offices that you held and your departure from priestly ministry. As you are aware, while the situation at Queen of Angels High School Seminary may have occurred in 1987, the behavior that led to your arrest, *nolo contendere* plea and sentence of probation, though sealed, is a matter of public record and can still be accessed by any person doing a thorough, professional, criminal records search. While the Archdiocese has been generous in assisting you over these years, the present situation does not permit the Archdiocese to have in ministry any priest who has had an allegation of sexual misconduct with minors that has been deemed credible and proven. The faithful of this Archdiocese demand that those priests who minister to them be free of any history of sexual misconduct with minors. Additionally, the protection of our children and the credibility of this local church are of critical importance at this time.

Second, you indicate that your departure from ministry was "completely involuntary." This characterization of your meeting with Cardinal Mahoney is quite inaccurate. You may recall that when you met with the Cardinal, in my presence, the Cardinal expressed a desire to protect you from any harm or scandal resulting from your past misconduct in the current climate of disclosure. The Cardinal requested and you agreed to resign from the offices that you held. In addition, you agreed to step out of priestly ministry. The Cardinal also asked that you consider submitting a petition for a dispensation from the obligations arising from priesthood and you said that you would consider it. Specifically, you indicated that although the request was a difficult one, you would not want any further harm to come to the Church. Thus, it seems to me that your perception of the meeting is not in concert with the facts as they occurred.

254386

Third, you seem to intimate that the Archdiocese has in some way been responsible for damaging your reputation. Such an intimation is rather far from reality. The fact of the matter is that your situation at Queen of Angels High School Seminary has not been a secret. I believe this is clearly illustrated by the fairly recent incident at Epiphany Church that I am sure you will remember. In addition, many priests who knew high-school seminarians in formation at that time knew of the criminal charges lodged against you and of the disposition of those charges. In addition, it has come to our attention that you informed individuals about your present situation by letter and email. This only increased discussion surrounding your past problems. As you know, the Cardinal has sought to avoid having the Archdiocese be the source for revealing the names of priests who have been asked to step aside from ministry. Thus, the assertion that in some way the Archdiocese is or was responsible for any damage that may have occurred to your reputation is unfounded.

Fourth, as you are aware the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance and benefits that are equal to or greater than priests who remain in active ministry. The Code presumes that every cleric who is unable to function because of past conduct will seek to obtain a means of support.

Your letter indicates that you are impeded from beginning a new career because of your age, but the letter does not articulate any attempts that you have made to begin to support yourself. For example, you indicate that no definite or long-term position or clear notion of salary or stipend has been discussed for service provided to the tribunal. To the contrary, Father Anslow has stated that he asked you to "ghost write" sentences and that a stipend of at least $[redacted] per case would be given for this kind of work. It seems that it is opportune for you to explore this as well as other possibilities that may exist, given your canonical experience.

Finally, it seems that the financial arrangements that have been offered are well within reason. The Archdiocese believes that it has extended you substantial assistance for your transition from ministry. You are currently continuing to receive your monthly stipend based on the length of your service and transitional health insurance. This seems quite adequate. In addition, long-term assistance is ensured in the form of an annuity offered to you with the intention that you would have sufficient means to obtain health insurance, as well as to have some additional disposable income. The Archdiocese does not believe that any additional assistance is needed. Given the assistance that you will receive and your ability to use your canonical education, you have the means to support yourself. I trust that you will endeavor to begin this transition.

In addition to the above financial support, we would, of course, be most willing to assist your ongoing work with your therapist. As in the past, this support can be arranged through the Vicar for Clergy Office.

I fully realize that these days have been difficult for you as they have been for the presbyterate and the Archdiocese. Please be assured of my continual prayers for you as you begin your new life outside of ministry. If you wish to discuss this matter further with me, please do not hesitate to contact me.

Sincerely yours in Christ,

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254388

#6

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

May 7, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Father Fessard,

I am writing in response to your phone call a few days ago in order to clarify those points that you raised. I am sorry if my previous letter created any confusion. I know that the recent weeks have brought changes that are difficult for you.

To be clear in terms of financial support, you are currently receiving the regular stipend based on seniority in ordination. When the annuity is established and begins paying a monthly amount, the stipend will cease. Please understand that the corpus of the annuity will represent a substantial investment in your future by the Archdiocese.

As earlier stated, it is our intention that the monthly annuity payment would provide funds to ensure the means to obtain health insurance, as well as to provide some additional expendable income for you both now and after retirement when your pension payments would begin.

Also, to date, in addition to your monthly stipend, the Archdiocese has given you $33,000 to aid in your transition. You made the decision to expend that assistance on living arrangements in Laguna Niguel and on the purchase of a new car.

I fully realize that the interim pay you might receive for composing sentences is not a solution to your total situation. I encourage you to continue to seek employment that will provide you with additional income and health insurance.

As I said on the phone, transitional health coverage has been extended to you by the Archdiocese for six months. The six months began on February 16, 2002, the same date that your inactive personnel status began.

At the end of that time, you may elect to continue coverage with the same insurance by accepting COBRA and continuing to pay the premiums for coverage yourself or you would be free to choose another insurance carrier.

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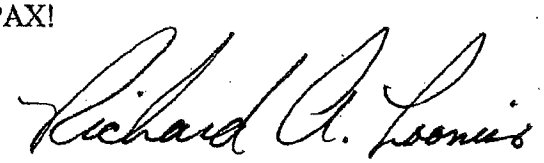
As I previously stated, the Archdiocese believes that the arrangements for your transition are generous and adequate.

Please know that you continue in my prayers in these difficult times.

PAX!



Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254390

#7

REDACTED

May 8, 2002

Cardinal Roger Mahony
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL
CONFIDENTIAL

Your Eminence:

For the past two and a half months, I have been attempting to cooperate with your determination that I can no longer exercise ministry as a priest of the Archdiocese due to incidents which took place in my life over fifteen years ago, despite the fact that these matters have been fully resolved in the state's criminal forum and therapeutically in my personal life. In this spirit of cooperation, I resigned my position in the Tribunal, and I departed at your direction my residence and office of Chaplain at Maryknoll, Monrovia.

At the time, I was assured by you personally and by your Vicar for Clergy that I would be provided a "generous" support package which would address my financial needs in return for this cooperation. This has not yet happened, either in the original offer presented by Monsignor Craig Cox in his letter of March 8, 2002, or in the letter from Monsignor Richard Loomis, dated April 30, 2002 in reply to my counter-proposal of March 20. The package that I was originally offered was woefully inadequate in dealing with even my daily living expenses, and absolutely no provision was made to assist me long term in dealing with personal indebtedness that I am morally bound to resolve. My counter-proposal, made in consultation with and on the advice of financial, legal and canonical experts, was better designed to deal in a realistic fashion with the financial obligations that I am facing, in a manner that would assure for my financial security until such time as I am entitled to my retirement benefits.

Monsignor Loomis's response to this counter-proposal was negative in every respect and essentially made the prior offer a matter of "take it or leave it."

I have attempted to respond to your requests in a spirit of respect and obedience. However, I am most disappointed that my personal well being, most notably my support, is not being addressed in the manner in which you had assured me they would be . For this reason, I must now give serious reconsideration to the requests which you originally made of me. A number of reasons suggest this.

I would note, first of all, that there is no basis in canon law for removing me from ministry, for revoking my priestly faculties or for denying me room, board and the full

support afforded priests in good standing of the Archdiocese of Los Angeles. The incidents of which I was guilty over fifteen years ago were satisfactorily resolved at that time by the state, and I fully cooperated with the program of assessment and therapy which I have long since successfully completed. In view of this resolution, no canonical action was deemed necessary at that time to impose sanctions or penalties for my actions. Moreover, the period of prescription addressing these issues, even that period of time most recently provided for in the *motu proprio, Sanctitatis Sacramentorum Tutela,* has long since lapsed. Hence, there is no legal basis canonically for the imposition of penalties at this time for these past actions. The present climate in which we unfortunately live does not change these facts, or the rightness of the decision you made in my regard in 1987. My record and witness have proved this to be the correct decision.

Secondly, in cases of this nature in which a priest has the capacity and right to the exercise of his priestly ministry but an Ordinary has determined that he cannot or will not assign him to ministry, the Congregation for the Clergy has rendered decisions which direct that a priest in these circumstances is to be provided with full remuneration at the present time and full retirement benefits when he becomes eligible.

Finally, I am not laboring under an *infirmitas psychica* that would suggest that I am impeded from the exercise of priestly ministry on the basis of canon 1044, §2, 2°.

Given these circumstances and the rights which I enjoy under Church law as a priest in good standing, and in view of the fact that my personal needs at this time are not being adequately addressed by the Archdiocese, I must inform you that I am now giving serious consideration to the placement of a petition to initiate a process which will result in an examination of this matter by the Holy See for the purpose of seeking their resolution of my rights in these circumstances.

Your Eminence, I continue to be devoted to the priesthood and the good of the Church of this Archdiocese; and I would undertake an action of this nature only most reluctantly. At the same time, my rights as a priest who has offended in the past but who has sought forgiveness and reconciliation and then spent nearly two decades in ministry following the successful completion of programs of healing and therapy are simply being ignored. This is not right or just within the context of our Church. Hence, I am presenting you with this letter in the hope that you will address at once and in a satisfactory fashion the needs which I presented to the Vicar for Clergy in my letter of March 20, 2002. I enclose a copy of this letter, asking that you kindly give it your personal consideration. I shall be happy to provide a more detailed outline of my financial needs, prepared by my certified public accountant of more than thirty years, if you so desire.

If a resolution of this matter is not possible, I will then have no alternative but to address these issues in a formal canonical process.

In the hope that we can resolve this matter in a spirit of fraternal cooperation and respect, and with sentiments of respect and esteem, I am

Sincerely yours in Christ,

Reverend Gerald B. Fessard

Enclosure: Letter to Msgr. Craig A. Cox 3/20/02

#8

Rev. Gerald B. Fessard
Income/Expense Balance Sheet
February – June 2002

Income

"Transition" Payments: [redacted]

"Transition" Expenses

Automobile: [redacted]
Condo Rental Security Dep.
Debt Payments:
Clothing:
Home Furnishings, Appliances:
Moving Expenses:
Phone Charges &
New Service Installation:
Cable TV Installation:
Retreat:

Total Expenses: [redacted]

Transition Income Less Expenses: [redacted]

Outstanding Debt: [redacted]

Transition Income Less Expenses/Indebtedness: [redacted]

Monthly Income/Expense Average

(During this period of negotiation over the Archdiocese's separation offer, I have continued to receive the monthly salary/stipend and Social Security Reimbursement I had been receiving while active in ministry. I have no indication how long this payment will continue. In addition, I have received stipends from the Metropolitan Tribunal for sentence writing I have been able to do, depending on availability of cases. According to correspondence from the Archdiocese, my health insurance benefits will cease effective August 12, 2002, necessitating my own assumption of this significant financial burden. Due to my additional income for this year, I also must anticipate a significantly increased tax liability due in the coming year.)

Income

Monthly Archdiocesan Salary/
SSI Reimbursement: [redacted]

Average Monthly Stipend
For Tribunal Work: [redacted]

Average Monthly Interest
On Savings: [redacted]

Average Monthly Income: [redacted]

Expenses (average)

Monthly Food Expense: [redacted]
Housing (2-BD Apartment Rent):
Home Maintenance & Supplies:
Automobile/Gas & Maintenance:
Office Supplies, Postage, etc.
Professional Literature:
Healthcare (Prescriptions
& Other Medications:
Insurance (Auto & Renter/
Personal Property Insurance):
Leisure (Books, magazines,
Cultural events):
Personal Care (Laundry,
Dry Cleaning, Toiletries):
Pet Food & Care:
Utilities (Electricity, Phone,
Cable TV):
Taxes/Social Security:

Average Monthly Expenses: [redacted]

Monthly Income Less Expenses: [redacted]

•254394

#9

REDACTED

July 7, 2002

Cardinal Roger M. Mahony
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL

Your Eminence,

On February 14, 2002, and at your request, I resigned my offices at the Metropolitan Tribunal, discontinued my chaplaincy to the Maryknoll Sisters in Monrovia and also departed my residence there. This request on your part was made in light of the "zero tolerance policy" you were activating regarding past acts of sexual abuse committed by priests. At the time of my resignation, you assured me that I would be afforded a "generous" package of support to meet my financial needs.

Unfortunately, the financial support that I have been offered by the Archdiocese has been far less than "generous." In fact, it is completely inadequate to meet my needs due to the high cost of living here in Southern California. I have brought this matter to the attention of your Vicar for Clergy, Reverend Msgr. Craig A. Cox, in a letter dated March 20, 2002, who assured me that this matter would be addressed. Subsequent correspondence that I have received from your Director of the Secretariat for Administrative Services, Reverend Msgr. Richard A. Loomis, however, has clearly indicated that I am not going to receive additional financial relief and that, in fact, my benefits will most likely be reduced.

Most recently on May 8, 2002, I brought this entire matter to your attention requesting your intervention on my behalf; and I indicated to you that if this matter could not be resolved in an adequate fashion, I would have no choice but to address these matters in a formal canonical process. Since two months have passed with no word from your office or from you personally, I now have no choice but to present you with this petition in accord with canon 57 of the *Code of Canon Law*.

As I indicated in my letter of May 8, 2002, I resigned my offices in a spirit of reverence and obedience to you with the specific assurances that the rights associated with my support and benefits would be properly addressed. This, unfortunately, has not been the case. As the enclosed balance sheet indicates, I am continuing to slip more deeply into debt and am facing serious financial difficulties.

254395

RCALA 003556

This unjust deprivation of my adequate support and my removal from the public exercise of priestly ministry constitute, in fact, the imposition of penalties without due process of law. As such, this action violates the requirement of canon 221, §3, which provides that the Christian faithful have the right not to be punished with canonical penalties except according to the norm of law. The deprivation of my right of remuneration is, in fact, the imposition of an expiatory penalty as defined by canon 1336, §1, 2°.

I would also repeat what I stated in my letter of May 8, 2002, namely, that there is no basis in canon law for imposing canonical sanctions against me at this time. The incidents of which I was guilty fifteen years ago were addressed satisfactorily in the civil forum of the State of California and in the ecclesiastical forum in virtue of canon 1341. I participated in a program of assessment and therapy, and no further canonical action was deemed necessary upon my successful completion of this program. I would also point out that an additional criminal action at this time is not possible solely on the basis of Article 5, §2, of the Norms promulgated *motu proprio* in the Apostolic letter *Sacramentorum Sanctitatis Tutela,* issued by the Congregation for the Doctrine of the Faith which states,

> §2. Prescription runs according to the norm of can. 1362, §2, of the *Code of Canon Law* and can. 1152, §3, of the *Code of Canons of the Eastern Churches*. In the delict however spoken of in art. 4, §1, prescription begins to run from the day on which a minor reaches the eighteenth year of age.

The individuals whom I offended are, at the present time, all well over twenty-eight years of age; and I would point out that no victim from any past action has filed subsequent charges against me in either the civil or ecclesiastical forum. Rather, the actions which have been taken against me are based solely on the incidents of fifteen years ago which have received renewed attention due to the circumstances which the Church has been experiencing these past few months.

Your Eminence, I deeply regret my past actions; and I have dealt with these offenses both spiritually and therapeutically. Through God's grace, I have been blessed with healing. The Holy Father himself addressed this possibility when he spoke to the Cardinals of the United States in April of this year addressing the issue of sexual abuse by members of the clergy and the need for norms addressing such offenses. Specifically, the Holy Father stated that

> ...even while recognizing how indispensable these criteria are, we cannot forget the power of Christian conversion, that radical decision to turn away from sin and back to God, which reaches to the depths of a person's soul and can work extraordinary change.

I consider myself fortunate to be numbered among those whom the Lord has changed.

CCI 000622

While I continue to be willing to cooperate with Your Eminence in arriving at a just and equitable resolution of these difficult circumstances, I am not willing to be deprived of my rights without due process of law. Therefore, by means of this petition, I am specifically requesting a decree by which I am either to be returned to the full exercise of my priestly ministry as is my right as a priest in good standing or, in the alternative, a decree directing that my support and benefits be adjusted in accord with the needs that I delineated in my letter to Monsignor Cox on March 20, 2002. I also ask your assurances that my right to receive this remuneration will continue at least until such time as my retirement benefits become operative, and that I will continue to accrue these retirement benefits until that time in accord with the policies stated for the archdiocesan priests' Pension Plan.

I do regret the necessity of initiating this formal process, as I would much rather have resolved this matter in a spirit of fraternal cooperation. However, the recent correspondence from Monsignor Loomis and your own unwillingness to address the circumstances which I presented to you in my letter of May 8, 2002, have left me with no alternative but to take this action.

With sentiments of respect and esteem, I am

Sincerely yours in Christ,

Reverend Gerald B. Fessard

Enclosure: Income/Expense Record: February – June, 2002

#10

Archdiocese of Los Angeles

Moderator of the Curia/
Vicar General
Office (213) 637-7255
Fax (213) 637-6123

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

August 9, 2002

CERTIFIED MAIL
7099 3400 0006 3721 4924

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

As I acknowledge receipt of your letter of July 7, 2002 to Cardinal Mahony regarding your financial support following your voluntary resignation from your offices at the Metropolitan Tribunal and chaplaincy to the Maryknoll Sisters in Monrovia, I wish to respond to the points that your raise in your letter.

Your letter presents a petition in accord with canon 57 of the *Code of Canon Law*. You petition that a decree be issued either that you be returned to the full exercise of priestly ministry as you assert is your right or, in the alternative, that a decree be issued that your support and benefits be adjusted according to the needs that you have delineated.

In response to the first request that a decree be issued returning you to the full exercise of priestly ministry as you assert is your right, it is important that we do not forget the circumstances that led to your resignation from the offices that you held and the reasons for your departure from priestly ministry. These circumstances have been clearly outlined in Monsignor Richard Loomis' letter to you of April 16, 2002 and admitted in your letter of July 7, 2002.

As you are aware, the climate in the United States generated by seven months of intense publicity on the perceived failure by bishops to protect the people entrusted to their care has made the return to ministry of any priest who has committed even a single act of sexual abuse with a minor impossible. This has been articulated in the *Charter for the Protection of Children and Young People* established by the United States Catholic Conference of Bishops.

Furthermore, I wish to remind you that your departure from ministry was completely voluntary following your meeting of February 14, 2002 with Cardinal Mahony.

254398

To characterize your conversation with the Cardinal and your decision to resign from the offices that you held as an administrative act imposed upon you by the Cardinal is quite inaccurate. Therefore, your petition for a decree in this matter is denied.

In regard to your request for a decree that your support and benefits be adjusted according to the needs that you delineate in your letter of July 7, 2002, I once again state that the matter of your financial assistance has also been detailed in Monsignor Loomis' recent letter to you. As a reminder, the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance or benefits that are equal to or greater than priests who remain in active ministry.

The financial arrangements that have been offered to you by the Archdiocese are more than adequate to respond to your needs and in fact quite generous. According to your letter you have already accepted and expended the transition payment of [redacted] and continue to receive the monthly Archdiocese Salary/SSI Reimbursement of $[redacted] It is not the intention of the Archdiocese to provide you with assistance to live in a lifestyle beyond the means of the ordinary member of the Christian faithful. Your decisions regarding the type of automobile that you purchased and your place of residence have substantially contributed to your perception that you do not have sufficient assistance from the Archdiocese. This perception, in the view of the Archdiocese, is faulty. There are certainly other areas of the Archdiocese where the assistance provided by the Archdiocese as well as any compensation that you would derive as you begin a new career can more than adequately provide for your needs. Canon 282 indicates that clerics are to cultivate a simple lifestyle. It is for these reasons that the Archdiocese believes that it has treated you fairly in regard to your assistance and your request for a decree is denied.

As preciously stated, I fully realize that these days and months have been difficult for you, as they have been for the Archdiocese and the Church. Please be assured of my prayers for you.

Sincerely,

Terrance L. Fleming

Reverend Monsignor Terrance L. Fleming, S.T.D., V.G.
Moderator of the Curia/Vicar General

254399

#11

REDACTED

REDACTED

E-Mail: REDACTED

Cardinal Roger M. Mahony
114 E. Second Street
Los Angeles, CA 90012

PERSONAL
CONFIDENTIAL

March 12, 2000

Your Eminence,

I want to thank you for your pastoral message on "The Way of Reconciliation," your Jubilee Lenten message. I am grateful for your inviting us all to seek the forgiveness of our brothers and sisters for the hurts we may have caused in our ministry in the Archdiocese and for your personal apologies for your own failings as well. I believe your message inspired many of us and touched many hearts. I was privileged to share your message, and that of our Holy Father, as part of my homilies today and to add my own request for forgiveness of those I may have hurt.

I am very aware of and deeply regret the ways I have harmed a number of people in my own life and ministry, and I only wish I could ask their forgiveness personally. You helped me to do so by speaking in behalf of all of us brother priests, and for that I am most grateful. An important part of my road to recovery is the willingness to make amends to all those I have harmed. I have tried to direct my life to that end in the past thirteen years by a more unselfish ministry and by my efforts towards wholeness and holiness. I deeply appreciate your prayers and support of me on this road.

I want to ask your forgiveness for any pain and difficulty I may have caused you as my Archbishop through my failings and shortcomings, past and present. I am grateful for your continual confidence in me and for the privilege of collaborating with you in our priestly service of God's people here in Los Angeles. I pray that God will continue to bless us abundantly in this Jubilee year and always. May God reward you for your dedicated service as our Chief Shepherd.

Fraternally in Christ,

REDACTED

254400

CLERGY DATABASE

Last:Fessard Title:Rev. First: Gerald Middle:B.

Color **Red**

04/87 Students at the junior seminary, where he was working as a Dean of Students, reported that they had been molested by Father while they were asleep. This was followed by a report to the police, and he was removed from his position. 06/02/87 He was arrested. 06/23/87 Court appearance which resulted on a 36 month probation on two misdemeanor charges -- battery and sexual molestation, to which he had pleaded no contest. A week or two after the above incident, he took two boys with him on an outing, sleeping over-night in a cabin. They slept in the same bed, and he was accused of having his own arm over one boy and a leg over another. He was reported, but no charges were filed. He has been seeing a psychiatrist since April. He is quite open that about acknowledging he has a twenty year history of this problem. He seems sincerely to want to work on this issue so that it does not recur. 12/03/87 He was discharged from Jemenez Spring. They recommend that he not be allowed to be alone with adolescents and to refrain from drinking. 10/07/88 His teaching credetials were suspended. 12/14/87 Assigned to the Tribunal. 09/15/89 He left for Rome to study Canon Law. 09/91 Returned from Rome. He was assigned to residence at St. Luke in Temple City. 08/30/94 Msgr. Dyer heard several testiomonies from students at St. Luke about his inappropriate behavior. The reported included accounts of his regular drinking in the evenings -- often to the point of intoxication -- followed by regular visits to the Youth group. He entered the EXODUS Unit to begin a 30-day detoxification program for alcohol. 11/13/89 He was sent to SLI for an evaluation. 12/05/94 Recommendation from therapist: He has a history of of having committed serious sexual offenses against minors. Therefore, the Ad. should keep this in mind when making living arrangements that any contact with minors will increase his risk of inappropriate behavior. 05/01/98 Excerpts from REDACTED REDACTED letter to Msgr. Loomis: Last fall, (11/06/97) you made an offer on behalf of Father to reimburse me for any therapy charges arising out of repressed memories which they had discussed. Please extend my appreciation to him, (annonymously, if possible) for his consideration as well. 05/21/98 Excerpts from Msgr. Loomis' memo to Father: We have rec'd. the total billing for the gentleman we spoke about earlier. His therapy came to a total of [redacted]. The Ad. has repaid him in full for his therapy. May I ask that you propose to me a schedule whereby you could re-pay the Ad. for these services. 07/01/98 Msgr. Loomis sent a promissory note to Father for [redacted] to repay the Ad. for therapy charges. He shall start repaying in quarterly installments. The plan will commence on 09/15/98. The final installment of [redacted] is due on 04/15/03.

4748

Department of Canonical Services
Office of the Vicar

DIOCESE OF PITTSBURGH REDACTED

July 16, 2002

Reverend Monsignor Richard A. Loomis
Director
Secretariat for Administrative Services
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Monsignor Loomis:

As I acknowledge receipt of your letter of June 24, 2002 that I received on July 9, 2002, I wish to take this opportunity to respond to you proposed letter to Father Fessard regarding his medical benefits.

As I have indicated in the past, he is entitled to sustenance and medical benefits since he remains a priest of the Archdiocese. The health benefits should not exceed benefits that any other priest of the diocese would receive who are in a similar status. According to the information you sent, priests not in active ministry are not reimbursed for expenses. I believe that your letter accurately reflects the practice. Therefore, I do not think that Father Fessard can expect anything more that other priests would receive.

I hope that this responds to your recent inquiry. If you have any questions, please do not hesitate to contact me.

With personal best wishes, I am

Sincerely Yours in Christ,

REDACTED

Very ReverendREDACTED JCL
Vicar for Canonical Services

254371

REDACTED

August 5, 2002

Rev, Msgr. Richard A. Loomis
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Dick:

In your letter of May 7, 2002 you indicated that, *per* the previous letter of Msgr. Craig Cox, my health insurance benefits from the Archdiocese would be terminated six months from the date on which my "inactive" status began, i.e., February 16, 2002.

As you may know, the terms of the Archdiocese's offer concerning my financial support are still under review and are being negotiated. At this time, I am writing to ask if the Archdiocese is willing to allow my health insurance benefits to remain in force pending the resolution of these issues.

I hope to hear from you on this matter at your earliest convenience.

Sincerely in Christ.

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

254370

8 Terrace Circle
Laguna Niguel, CA 92677-4115

August 19, 2001

Cardinal Roger Mahony
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed please find a copy of my petition for hierarchic recourse, with supporting documentation, sent to the Congregation for the Doctrine of the Faith in response to the letter I received from Monsignor Fleming on August 15, replying to my July 7 petition to you.

Sincerely in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard

Enclosure

254462

#12

TO RECONCILE GOD'S PEOPLE

OFFICE OF THE CARDINAL

3424 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90010-2241

March 22, 2000

Reverend Gerald Fessard
REDACTED

PERSONAL AND CONFIDENTIAL

Dear Gary:

Thank you very much for your kind and thoughtful letter of March 12, 2000.

This jubilee year certainly affords us the opportunity to reflect on the immense generosity of God's love and mercy in our lives, and to help us extend that loving mercy by sharing pardon and forgiveness with each other.

I was humbled by your own words of apology seeking broad forgiveness from many people. Your generous and courageous expression of apology is deeply appreciated, and I certainly accept that apology on behalf the Archdiocese of Los Angeles and any whom you may have harmed along your priestly journey.

These are days of very special grace for all of us, and it is very liberating when we can extend forgiveness without limitation one to another.

Assuring you of my own continuing prayers and support in your priestly life and ministry, and with kindest personal regards, I am

Fraternally yours in Christ,

+ Roger

His Eminence
Cardinal Roger Mahony
Archbishop of Los Angeles

epf

254401

RE: Gerald Fessard

We met on July 25, 1996

(1) Called his therapist with release and she will write a closing note with progress & recommendations

(2) Asked Gerald to finish Pastor/supervisor; he is thinking @ REDACTED

(3) Need to get reports from work, Spv. div., et al

RCALA 003567

CCI 000633

254461

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Msgr. Lomio DATE: 8-22-02

( ) Please **REVIEW**, then **SEE ME**
( ) Please **REVIEW**, then **RETURN** to me
( ) Please **REVIEW**, then **SEND** me your **COMMENTS**
( ) Please **REVIEW**, then **FILE**

(X) Please **HANDLE** this matter **ENTIRELY**
( ) Please **ANSWER**; send copy of letter to me
( ) Please **WRITE A REPLY** for my signature
( ) For your **INFORMATION**
( ) Please **XEROX - FAX** and send copy/copies to:

Original to: ( ) file ( ) back to me ( )

REMARKS: Have our canonist write a response -

Thanks!

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

August 23, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Gary,

Your letter of August 5 asking for continuation of health benefits arrived in my office after I had left on my vacation on August 1, 2002. I understand that the letter from insurance offering COBRA was mailed to you earlier this week. I apologize for these two letters crossing in the mail without any response from me but I have been away from the office.

As you know from the insurance letter, COBRA takes effect at the end of this month, August 31, 2002. As a kindness and in order to aid in your transition, the Archdiocese will assist with the amount needed to pay COBRA for six months. A check will arrive under separate cover.

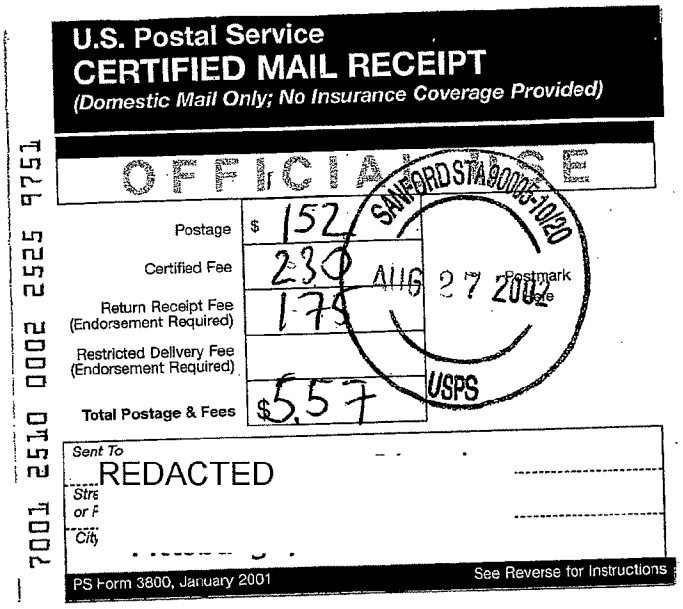
Once again, I apologize for letters crossing in the mail without a reply from me. Also, please accept my sincere expression of sympathy regarding the article in *The Los Angeles Times* last Sunday. The damage done to so many was, in my opinion, entirely gratuitous and heartless. Please know you are in my prayers during this difficult time.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254369



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City, State, ZIP+4

PS Form 3800, January 2001 See Reverse for Instructions

254458

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Fr. REDACTED
REDACTED

REDACTED

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A. Received by *(Please Print Clearly)* | B. Date of Delivery 8/30/02

C. Signature
X REDACTED
☒ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

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254459

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REDACTED

REDACTED

Archdiocesan Catholic Center
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

40

254460

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

September 3, 2002

PROT. N. 223/02-15132
(In responsione fiat mentio huius numeri)

Your Eminence,

The Congregation for the Doctrine of the Faith has received on August 24, 2002 an appeal from **Fr. Gerald B. FESSARD**, a priest of the Archdiocese of Los Angeles, against the remuneration accorded to him by administrative decision, expressed in the letter of August 9, 2002 signed by Msgr Terrance I. Flemming, Vicar General of the Archdiocese.

In accordance with the practice of the Congregation, we ask Your Eminence to kindly provide three authentic copies of the acts pertaining to this particular case. We also remind Your Eminence to please keep in mind the terms of canon 57 with regards to the time-frames which may be operative.

I take this opportunity to offer Your Eminence my sincere respects and with every best wish, I remain,

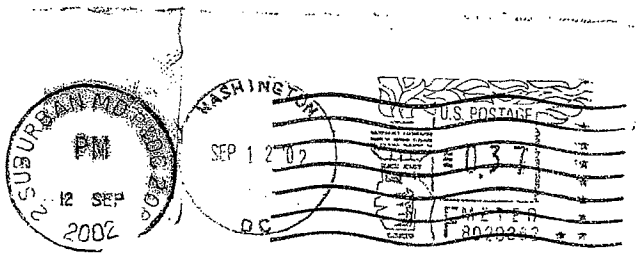
Yours devotedly in the Lord

† Joseph Card. Ratzinger

His Eminence
Roger Card. MAHONY
Archbishop of LOS ANGELES.

254478

APOSTOLIC NUNCIATURE
3339 Massachusetts Avenue, N.W.
Washington, D.C. 20008



PERSONAL

His Eminence
Roger Cardinal MAHONY
3424 Wilshire Blvd.
Los Angeles, CA 90010-2241
USA

4.0

254479

Loomis, Msgr. Richard A.

Full Name: Fr.REDACTED
Last Name: REDACTED
First Name:
Job Title: REDACTED
Company: Archdiocese of Pittsburgh

Business Address: REDACTED

Business:
Business Fax:

REDACTED

the attached envelope

REDACTED

"Please send this to Fr.
I will need it sent so that we have confirmation of delivery.
Many thanks!
RAL

7001 2510 0002 2525 9751

Mailed 8-27-02
Certified
Return Receipt Requested

254368

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Msgr. Loomis DATE: 9-16-02

( ) Please **REVIEW**, then **SEE ME**
( ) Please **REVIEW**, then **RETURN** to me
( ) Please **REVIEW**, then **SEND** me your **COMMENTS**
( ) Please **REVIEW**, then **FILE**

PRIORITY

(X) Please **HANDLE** this matter **ENTIRELY**
( ) Please **ANSWER**, send copy of letter to me
( ) Please **WRITE A REPLY** for my signature
( ) For your **INFORMATION**
( ) Please **XEROX - FAX** and send copy/copies to:

Original to: ( ) file ( ) back to me ( )

REMARKS: We need to move on this - see canonical time frames - how can canonist work on a response - Thanks!

254367

** JOB STATUS REPORT ** AS OF SEP 16 2002 13:07 PAGE. 01

ARCHIOCESE

JOB #604

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	STATUS
001	9/16	13:06	914124563173	EC--S	00'14"	002	OK

3424 Wilshire Boulevard
Los Angeles, CA 90010-2241
[213] 637-5607

Archdiocesan Catholic Center

Fax

To: FR. REDACTED

Fax: REDACTED

Phon

From: Msgr. Richard Loomis

Pages: 2 (incl. cover)

Date: 9/16/02

Re: Fr. Gary Fessard

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

● Comments:

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254365

3424 Wilshire Boulevard
Los Angeles, CA 90010-2241
[213] 637-6607

Archdiocesan Catholic Center

Fax

To: FR. REDACTED

Fax: REDACTED

Phon

From: MSGR. RICHARD LOOMIS

Pages: 2 (INCL. COVER)

Date: 9/16/02

Re: FR. GARY FESSARD

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

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254366

Loomis, Msgr. Richard A.

From: REDACTED
Sent: Thursday, September 19, 2002 2:34 PM
To: REDACTED @la-archdiocese.org'

Dear Dick:

I have reviewed the letter from the Congregation and would opinion that they are asking for either our response to the petition or a decree resolving the matter. While the Congregation speaks only of the remuneration portion of the question, I am concerned that they might begin to ask the broader question of the basis for his "voluntary" withdrawal from ministry. I propose two actions:

1. I will prepare a response for the Congregation and forwarded it to you by September 30, 2002. I will be away for several days but will complete the project and send the response and the proposed documentation. (I need a listing of his assignments and any documents that you have regarding the allegations and resolution).

2. I think some discussion should be had regarding some type of negotiations with him to see if a financial resolution can be accomplished in conjunction with his writing withdrawing from ministry and withdrawing his appeal (This seems to be the context of the Congregations reference to Canon 57).

Please feel free to contact me.

REDACTED

254469

Loomis, Msgr. Richard A.

Full Name:	Fr REDACTED
Last Name:	REDACTED
First Name:	
Job Title:	REDACTED
Company:	Archdiocese of Pittsburgh
Business Address:	REDACTED
Business:	
Business Fax:	

REDACTED

Received
9/25/02

September 23, 2002

Reverend Msgr. Richard A. Loomis
Director, Secretariat for Administrative Services
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Dick,

I wish to acknowledge receipt of your letter of August 23 in which you have informed me that payment for the first six months of my enrollment in the COBRA medical plan is being covered by the Archdiocese. I received the check for this coverage on Saturday, September 21.

While I appreciate the assistance that this coverage represents, I wish to make it very clear that I do not consider this an act of "kindness," nor is it an aid in my "transition." I would remind you that as an incardinated priest, the Archdiocese of Los Angeles has a responsibility in virtue of canon 281 to provide for my medical care unless this right is removed by means of a proper canonical process. In addition, it is not my intention to "transition" out of priesthood; and I am currently seeking a clarification of this very point from the Holy See.

In closing, I do appreciate your expression of sympathy and the assurance of your prayers.

Sincerely yours,

Gerald B Fessard

Reverend Gerald B. Fessard

254476

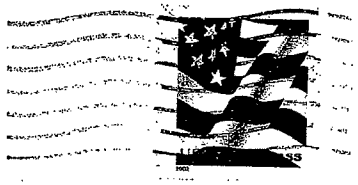
RCALA 003581

CCI 000647

254477

Rev. Gerald B. Fessard
8 Terrace Circle
Laguna Niguel, CA 92677-4115

SANTA ANA CA 927
PM
24 SEP
2002



Reverend Msgr. Richard A. Loomis
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

90010+2241

REDACTED

COPY

September 23, 2002

His Eminence, Joseph Cardinal Ratzinger
Prefect
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00120 Vatican City, **EUROPE**

Your Eminence:

I recently presented to your esteemed Congregation a petition for hierarchic recourse pursuant to Canon 1737, §1 against a decision by my Archbishop, Roger Cardinal Mahony, to remove me from priestly ministry. This petition, sent in care of the Apostolic Nuncio to the United States, Most Reverend Gabriel Montalvo, should have reached your office.

In the supplementary documents sent with my petition, a letter dated May 7, 2002, sent to me by the Reverend Monsignor Richard A. Loomis, Director of the archdiocesan Secretariat for Administrative Services, stated that my health insurance benefits would be terminated six months from the date of my dismissal. In a letter dated August 2 sent to the Archdiocese, and forwarded to me August 21, the insurance administrator's office informed me that these benefits would be terminated effective August 31, 2002 and that I would thereafter become fully responsible for providing my own medical, dental and vision insurance (Document 1). According to a government program available to terminated employees, I could maintain the level of my medical benefits at a monthly cost to me of $813.96.

In a letter dated August 23, Monsignor Loomis sent me a letter in which he stated that the Archdiocese of Los Angeles, "as a kindness and in order to aid in your transition," would assist with the cost of this insurance extension for a period of six months (Document 2). I received a check for this assistance on September 21, 2002. From Msgr. Loomis's letter, I assume that in six months' time, i.e., February 28, 2003, I will again become solely responsible for bearing the costs of my medical insurance.

I wanted you and the members of the Congregation to have this information to assist in your deliberations concerning my petition. In my opinion, this latest offer from the Archdiocese, while helpful, fails to address the deeper issues of my financial support and social assistance due to me in justice and according to Church law. The points made in my petition to the Congregation are still valid and beg for redress.

Thank you for your kind consideration of this matter. With best wishes and prayers as you address the issues I have presented, I am

Sincerely in Christ,

Rev. Gerald B. Fessard

Enclosure

cc: REDACTED

254475

COPY

September 26, 2002

REDACTED

Archdiocese of Pittsburgh
111 Boulevard of the Allies
Pittsburgh, PA 15222

Dear REDACTED

I am sending you three items:

1. Father Fessard's assignment record
2. A summary of his case prepared for our attorneys – I hope this is helpful. His file is voluminous and would be virtually impossible to prepare. However, if needed for the final document, we will do it.
3. Recent correspondence with Father Fessard

Please feel free to call me if you have questions. I will do my best to be available to you.

I am sorry it has taken me several days to get this to you. Our downsizing has capitalized almost all of my time.

PAX!

REDACTED

254470

Fessard, Rev. Gerald (55 y/o)
Victims: 22+
- 10 to 12 occasions (male & female) self-disclosed in evaluation at St. Luke's Institute
- 1 an adult recalling childhood abuse
- 5 high school seminarians (4 criminal charges; plea bargain: *nolo contendere* to 2)
- 5 teenage girls
- Unknown numbers of others (?)

Current situation:
Ordained: 1972
Ministry: Tribunal (Adjutant Judicial Vicar) – since 12/14/87
(formerly Associate Superintendent for Elementary Schools)
Residence: Maryknoll Sisters Retirement Facility – since 8/28/97

# # # # #

Approximately 20 years old, in college seminary, 1964-1968:

- As counselor tending ill or upset children late at night, gained "some gratification from touching children, putting my hands on their legs, genitals, buttocks while asleep. For kids away from home, I saw myself as a father or mother figure and tried to be both paternal and nurturing. For some reason, I related this occasional activity with those feelings. I have never overtly solicited sexual activity with children; the only instances occurred when they were asleep." *(N.B. This behavior went on for five summers – cf. the report from St. Luke's below.)*
(Self-disclosed in evaluation in Jemez Springs, 1987)
- Psychological progress report details:
  - Camp episodes
  - Occasional episodes since then
  - Allegations causing intervention & criminal charges – dorm and cabin
(Dr. J. Ellis, MD, report in 7/1987)

Incident in first assignment, 1972-1975:

- Complaint from an adult about touching of genitals while child was "asleep." Priest was at dinner party and entered child's room, presumably on excuse of going to rest room. There would be "no reason to enter the children's bedroom" than molestation or mistake.
- Memory of event prompted by complainant's brother recounting a dream of his childhood that included the same scenario.
(Complaint brought in 1998)

Incident at high school seminary, 1987:

- Allegations by two students of touching of genitals while teens "asleep" and prowling dorms at night. *(early 1987)*
- Allegations by three boys of inappropriate behavior at priest's cabin.
- Charges brought: four charges, plea bargained to two

- One of battery
- One of child molestation
  - *Nolo contendere* plea
  - Sentence: 3 years probation (ending 6/30/1990) + treatment

- Father Fessard "is both psychologically and literally in the dark" about his acting out, in that he approached his victims when he presumed they were asleep. "It seems to a great extent that he kept the behavior of touching boys' genitals when they were sleeping far apart from the rest of his life; that in some ways, he had compartmentalized that and had to some degree rationalized it and in other ways, more ignored it but kept it away from himself and did not it much in terms of his self-image."

REDACTED

- Assessment/treatment at Jemez Springs – link of drinking and acting out
- Protocol on return – limited ministry, ongoing therapy, invoking treatment recommendations

(Report by victims, police, court and treatment documents, 1987)

<u>At Saint Luke, Temple City, 1991-1994:</u>

- Complaints from 5 teenage girls (12 to 14) and one mother of appearing under the influence, inappropriate behavior at a late night teen group meeting, observed alone with daughter by mother, patted girls on behind, made girls feel "uncomfortable."

(Report by victims, 1994)

- Evaluation by Saint Luke's, Maryland: as part of evaluation, self-disclosed more victims.
  - "Father Fessard states that his sexual acting out with minors began when he was approximately age 19 or 20 and working at a camp. Father Fessard states that he began touching adolescent males who were between the ages of 12 and 14 when he thought they were asleep.
  - "He also admits that he has sexually touched to 13-year-old females who were also asleep.
  - "Father Fessard states that he would sometimes do this after ordination when he would take minors on overnights and on camping trips. He reports that he would touch the testicles, penis and sometimes the buttocks of these young people.
  - "Father Fessard states that he is more attracted to "feminine" boys who are slender and have smooth bodies.
  - "He states that the touching occurred over five summers when he was young. He reportedly touched minors on 10 to 12 occasions.
  - He says that, after ordination, between 1972 and 1987, there were occasional overnights when he would touch minors."

REDACTED

- Paraphilia not otherwise specified – ephebophilia, sexually attracted to both males and females, non-exclusive. 302.90
- Alcohol dependence in early remission. 303.90
- REDACTED

(Report from Saint Luke's, 12/5/94)

REDACTED

- A young adult attending Mass publicly denounced priest to pastor, music minister and choir members that "he is a child molester." The young adult knew the whole story from the high school seminary.
- Pastor tried to contact young man, who he learned was a former seminarian at high school seminary. No contact.
- Withdrawn from all parish involvement (evidently allowed to help in parishes by Vicar sometime later).

(Report made by pastor)

REDACTED

- Returning from Jemez Springs, priest wanted to reside in a parish with a school and wanted campus ministry in a girls college

REDACTED

REDACTED

(12/23/1987)

REDACTED

(4/28/1989)

- Saint Luke's:
  - "... Father Fessard is to have no contact with male or female minors. In light of Father Fessard's recent difficulties it seems psychologically appropriate to make this recommendation very strongly. Father Fessard's

history is one where he has committed serious sexual offenses against minors over a long period of time. We therefore recommend that any assignment or living situation take into account that contact with minors will increase Father Fessard's risk for inappropriate behavior."

REDACTED

(12/5/1994)

- REDACTED After working with him for some time, recommended Father Fessard for a supervised return to parochial ministry under a protocol agreement.
- While this recommendation was being considered, the complaint of 1998 came in ending all consideration of the possibility.

(9/9/1996)

FedEx Express USA Airbill

FedEx Tracking Number 8349 2076 5838

SLA22

0215

Sender's Copy

From Please print and press hard.

Date 09/26/2002 Sender's FedEx Account Number 1016-4505-3

Sender's Name Msgr. Richard A. Loomis Phone (213) 637-7890

Company ARCHDIOCESE OF LOS ANGELES

Address 3424 WILSHIRE BLVD Dept./Floor/Suite/Room

City LOS ANGELES State CA ZIP 90010

Your Internal Billing Reference OPTIONAL
First 24 characters will appear on invoice.

To

Recipient's Name Very Rev. REDACTED REDACTED

Company Archdiocese of Pittsburgh REDACTED

Addre

To *HOL

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Addre

Dept./Floor/Suite/Room

City State ZIP

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4a Express Package Service — *Packages up to 150 lbs.* Delivery commitment may be later in some areas.

- [X] FedEx Priority Overnight — Next business morning
- [ ] FedEx Standard Overnight — Next business afternoon
- [ ] FedEx First Overnight — Earliest next business morning delivery to select locations
- [ ] FedEx 2Day — Second business day
- [ ] FedEx Express Saver — Third business day

FedEx Envelope rate not available. Minimum charge: One-pound rate

4b Express Freight Service — *Packages over 150 lbs.* Delivery commitment may be later in some areas.

- [ ] FedEx 1Day Freight* — Next business day
- [ ] FedEx 2Day Freight — Second business day
- [ ] FedEx 3Day Freight — Third business day

* Call for Confirmation:

5 Packaging — * Declared value limit $500

- [X] FedEx Envelope*
- [ ] FedEx Pak* — Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak
- [ ] Other

6 Special Handling — Include FedEx address in Section 3.

- [ ] SATURDAY Delivery Available ONLY for FedEx Priority Overnight and FedEx 2Day to select ZIP codes
- [ ] HOLD Weekday at FedEx Location NOT Available for FedEx First Overnight
- [ ] HOLD Saturday at FedEx Location Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations

Does this shipment contain dangerous goods? One box must be checked.

- [ ] No
- [ ] Yes — As per attached Shipper's Declaration
- [ ] Yes — Shipper's Declaration not required
- [ ] Dry Ice — Dry Ice, 9, UN 1845 ____ x ____ kg

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

- [ ] Cargo Aircraft Only

7 Payment *Bill to:* Enter FedEx Acct. No. or Credit Card No. below.

- [X] Sender — Acct. No. in Section 1 will be billed.
- [ ] Recipient
- [ ] Third Party
- [ ] Credit Card
- [ ] Cash/Check

FedEx Acct. No. / Credit Card No. Exp. Date

Total Packages	Total Weight	Total Declared Value†	FedEx Use Only
1	Less than 1 lbs	-0-.00	

†Our liability is limited to $100 unless you declare a higher value. See back for details.

8 Release Signature *Sign to authorize delivery without obtaining signature.*

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

447

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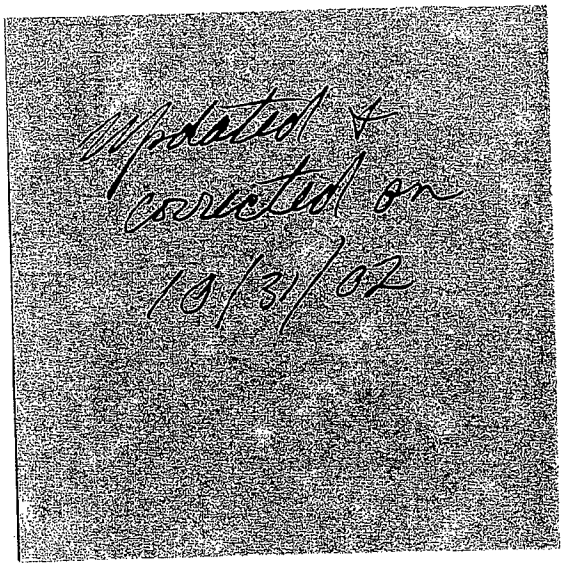
254467

Clergy Assignment Record

Rev Gerald B. Fessard



Current Primary Assignment:

Birth Date:	7/14/1946
Birth City:	Little Rock, Arkansas, U.S.A.
Diaconate Ordination:	
Priesthood Ordination:	5/27/1972
Diocese Name:	Archdiocese of Los Angeles
Date of Incardination:	5/27/1972
Ministry Status:	Inactive Leave

Mail address REDACTED

Home phone REDACTED

Cell phone

Seminary: St. John Seminary, Camarillo

****

Assignment History

Assignment	*Beginning Date*	*Completion Date*
St. Charles Borromeo Catholic Church, North Hollywood -- Associate Pastor (Parochial Vicar), Active Service	6/12/1972	6/15/1975
St. Pius X Catholic Church, Santa Fe Springs -- Associate Pastor (Parochial Vicar), Active Service	6/16/1975	7/14/1977
Santa Clara High School, Oxnard -- Faculty, Active Service	7/15/1977	7/8/1980
Santa Clara Catholic Church, Oxnard -- Resident, Active Service	7/15/1977	7/8/1980
St. Bernard High School, Playa del Rey -- Faculty, Active Service	7/9/1980	7/8/1985
St. Clement Catholic Church, Santa Monica -- Resident, Active Service	7/9/1980	6/14/1981
St. Eugene Catholic Church, Los Angeles -- Resident, Active Service	6/15/1981	7/8/1985
Archdiocesan Catholic Center, Los Angeles -- Superintendent, Active Service	6/15/1981	7/8/1985

254363

St. Paul Catholic Church, Los Angeles -- Resident, Active Service	7/9/1985	6/28/1986
St. Martin of Tours Catholic Church, Los Angeles -- Resident, Active Service	6/29/1986	1/30/1987
Queen of Angels Seminary, Mission Hills -- Dean of Studies, Active Service	2/1/1987	4/2/1987
-- , In Transition	4/3/1987	7/7/1987
-- , Sick Leave	7/8/1987	12/9/1987
St. Martin of Tours Catholic Church, Los Angeles -- Hospitality, Hospitality	12/10/1987	1/31/1988
Archdiocesan Catholic Center, Los Angeles -- Tribunal, Active Service	12/14/1987	7/30/1989
St. Timothy Catholic Church, Los Angeles -- Resident, Active Service	2/1/1988	7/30/1989
-- Tribunal, Education Leave	8/1/1989	8/21/1991
Archdiocesan Catholic Center, Los Angeles -- Tribunal, Active Service	8/22/1991	2/16/2002
St. Luke the Evangelist Catholic Church, Temple City -- Resident, Active Service	8/22/1991	9/25/1994
St. Gregory Nazianzen Catholic Church, Los Angeles -- Resident, Active Service	9/26/1994	2/4/1995
Maryknoll Convent, Monrovia -- Chaplain, Active Service	2/5/1995	2/16/2002
Maryknoll Convent, Monrovia -- Resident, Active Service	2/5/1995	2/16/2002
-- , Inactive Leave	2/16/2002	

Department of Canonical Services
Office of the Vicar

DIOCESE OF PITTSBURGH

REDACTED

November 5, 2002

Monsignor Richard A. Loomis
Director, Administrative Services
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Monsignor Loomis:

I trust that you have received the material regarding the appeal to the Congregation for the Doctrine of the Faith. Since the beginning of my representation on behalf of the Archdiocese, thirty (30) hours have been dedicated to this project. While I do not expect compensation at the usual rate of $100.00 since some of the service is part of our mutual need to assist in these difficult cases, I would ask that you consider a fee of [redacted] per hour as the fee for service. This would amount to $[redacted]. If this is acceptable, I will complete whatever documentation you require.

If I can be of any further assistance in this matter, please do not hesitate to contact me.

With personal best wishes, I am

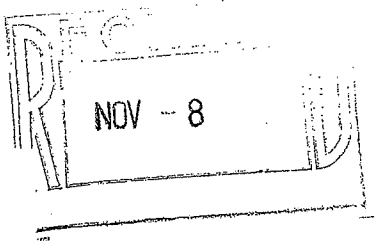
Fraternally Yours in Christ,

REDACTED

Very Reverend REDACTED
Vicar for Canonical Services

JCL

254362



REDACTED

REDACTED

November 7, 2002

Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

Enclosed please find a bill dated 31 October 2002 from my dentist, REDACTED D.M.D. This amount of $[redacted].00 represents services not covered by our insurance plan.

I would appreciate your forwarding to me a check for $[redacted].00 payable to REDACTED REDACTED D.M.D. as soon as possible, per the standard benefits available to archdiocesan priests.

Thank you very much.

Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard

254356

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

November 12, 2002

Very Rev REDACTED
Archdiocese of Pittsburgh
111 Boulevard of the Allies
Pittsburgh, PA 15222

Dear REDACTED

Please find enclosed a check for [redacted] I tried to get it through as a gift rather than a fee, but I understand our accounting department called you for your Social Security number. Ah, well ...

Everything regarding the person with whose case you so ably assisted us is in Rome. Now it is just a matter of waiting.

Please accept my thanks for your time and sage advice. Cardinal Mahony also asked that I express his gratitude for your efforts on our behalf.

I hope the "holiday season" brings happiness and rich blessings to you!

PAX!

Dick

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

Attachment

254360

COPY

Archdiocese of Los Angeles
Secretariat for Administrative Services (213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

December 2, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Gary,

Your letter of November 7 was forwarded to my office. I regret that there was some delay in bringing the letter to my attention for reply.

I think there continues to be a misunderstanding concerning the portion of Monsignor Cox's March 8 letter. The portion of his letter that states, "You will not be eligible, however, for reimbursement of the deductible or other expenses not covered by the insurance program," is simply a statement of the ordinary practice and policy of the Archdiocese in regard to priests who are not in an assignment. It is not part of any "offer" or "package" of financial support.

Every priest not active in ministry is notified of this change during his transition out of his last assignment. The Archdiocese neither pays nor reimburses for the deductible or other expenses not covered by the insurance program. The reimbursement policy applies to priests in active ministry. I pointed this out to you in my letter of June 5, 2002. We will not reimburse you for the October 31 bill forwarded to the Archdiocese.

My goal in writing to you is simply to try to save you any further embarrassment surrounding your medical or dental bills. It would be most helpful if you would please notify REDACTED and your other health care providers that future statements should be sent directly to your attention.

Please be assured of my prayers.

Sincerely yours in Christ,

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

254355

COPY

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

December 2, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Gary,

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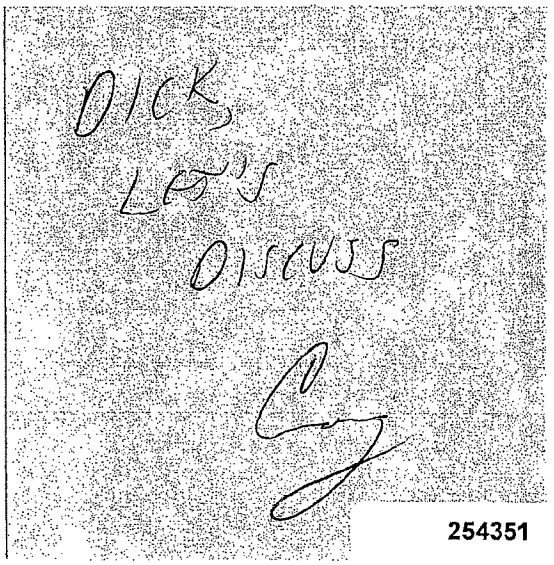
Please be assured of my prayers.

Sincerely yours in Christ,

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services



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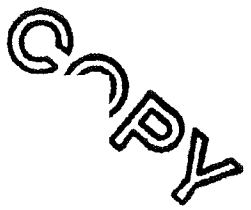
REDACTED



December 14, 2002

Rev. Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

I received a letter from Dick Loomis dated December 2, 2002, a copy of which is enclosed. I am concerned by his statement that my ineligibility for the health insurance deductible and other expenses not covered by the insurance program is based on "the ordinary practice and policy of the Archdiocese in regard to priests who are not in an assignment" as "it is not part of an 'offer' or 'package' of financial support."

According to the Archdiocesan Health Plan for Priests, as stated in our "Priest Policies and Guidelines" (IV-5), updated in December of 1996, "any priest who is incardinated or who holds an official full-time assignment in the Archdiocese is eligible for coverage under Indemnity or HMO Plans." That policy statement continues, "Archdiocesan priests are reimbursed by their source of salary for that portion of covered expenses not paid by the insurance plan." As an incardinated priest, it would appear that I am eligible for these benefits which are to be paid by the source of my salary, namely, the Archdiocese at this time.

My purpose in writing is to ask for a formal clarification regarding the application of this health plan in my regard. I do want you to know that I am seeking this clarification from you as the Vicar for Clergy in connection with the recourse that I have currently placed before the Congregation for the Doctrine of the Faith, as the denial of my health care benefits as an incardinated priest of the Archdiocese does appear to be the imposition of a penalty without due process of law.

Thank you for your assistance in this matter.

Fraternally in Christ,

Rev. Gerald B. Fessard

55916

RECEIVED
DEC 18 2002
BY:

REDACTED

REDACTED

December 15, 2002

Rev. Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

I received a letter from Dick Loomis dated December 2, 2002, a copy of which is enclosed. I am concerned by his statement that my ineligibility for the health insurance deductible and other expenses not covered by the insurance program is based on "the ordinary practice and policy of the Archdiocese in regard to priests who are not in an assignment" as "it is not part of an 'offer' or 'package' of financial support."

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Thank you for your assistance in this matter.

Fraternally in Christ,

Gerald B. Fessard

Rev. Gerald B. Fessard

254350



CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

December 20, 2002

PROT. N. 223/02-16156
(In responsione fiat mentio huius numeri)

Your Eminence,

The Congregation for the Doctrine of the Faith received on November 5, 2002, the acts pertaining to the case of the **Reverend Gerald B. FESSARD**, a priest of the Archdiocese of Los Angeles, who has expressed his desire to have recourse to this Dicastery against the remuneration accorded to him by administrative decision, communicated by letter dated August 9, 2002 and signed by Msgr Terrance I. Flemming, Vicar General of the Archdiocese.

Thank you for forwarding the acts of the present case. I assure you that this Dicastery will give them careful attention and will be in contact with Your Eminence presently as to the outcome of the recourse presented by the Reverend Fessard.

I take this opportunity to offer Your Eminence my sincere respects and with every best wish, I remain,

Yours devotedly in the Lord

+ Joseph Card. Ratzinger

His Eminence
Roger Cardinal MAHONEY
Archbishop of LOS ANGELES

254352

REDACTED

RECEIVED
JAN 2 9 2003
BY:

REDACTED

REDACTED

January 26, 2003

CONFIDENTIAL

Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

With the encouragement of my therapist, I attended the annual retreat for recovering alcoholic priests held at Serra Retreat House in Malibu last week. I expect this to be my personal retreat for the year.

Since I am still without a full-time job, despite my continued search, I am unable to afford the cost of this retreat. I am enclosing a statement from the retreat house, with the request that the Archdiocese kindly send me a check payable to Serra Retreat in the amount of $250.00. Thank you for you consideration of this request.

On another issue, I recently listed you as a reference as part of my application for a position with Resource Publications, Inc. in San Jose. Though I was turned down for the position, the publisher, REDACTED informed me last week that he attempted to contact you concerning my application but got no reply. I would be most grateful if in future you could make yourself available to employers who may be checking my references. Alternatively, if you are unable or unwilling to serve as a reference for me, could you please so inform me, so that I will no longer list you?

There are several other matters about which I have asked and/or written to you in recent months but have had no reply: the possibility of receiving the faxes sent to archdiocesan priests, the possibility of your writing a letter of recommendation for me as a canonist, and my most recent query seeking clarification of the policy regarding priests' health insurance coverage (cf. my letter of December 14, 2002). I would appreciate hearing from you on these items at your earliest convenience if I am to give other than a "canonical" interpretation to your lack of response.

My best wishes and prayers for a more peace-filled ministry for you in this new year.

Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard

55925

COPY

Archdiocese of Los Angeles | Secretariat for Administrative Services (213) 637-7890 | 3424 Wilshire Boulevard | Los Angeles California 90010-2241

January 28, 2003

Reverend Gerald Fessard
REDACTED

Dear Father Fessard,

As you probably know, I have been transferred out of the ACC and into a temporary parish assignment. I am only in the office one day a week. Due to the Christmas break at the ACC, my own time away, and moving to a new residence, I am only now responding to your letter to Monsignor Cox.

I find that I must respond to your letter in the same vein as before. It is consistent Archdiocesan practice that priests on inactive leave do not receive reimbursement for the patient portion of medical and dental expenses. Likewise, we have consistently offered to maintain insurance but only to the maximum period of time allowed. Then, COBRA is offered. In your case, out of kindness, we exceeded this practice by giving you the means to pay COBRA for several months or to seek out a less expensive health insurance.

Further, after speaking with canonists, I cannot accept your position that someone not active in priestly ministry should receive the same benefits as clergy with an approved Archdiocesan assignment and who are actively serving in priestly ministry. Canon Law does not presume that men not-in-active-service would receive the same benefits as clergy actively ministering within a diocese.

I truly regret this impasse between us but believe I must take this course in responding to you in order to act in a manner consistent with the support others have received in similar situations.

Please know that you continue in my prayers in what I know must be a difficult and painful situation.

PAX!

Richard A. Loomis

Rev. Msgr. Richard A. Loomis
Administrative Services

55918

Archdiocese of Los Angeles
Secretariat for Administrative Services
(213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

February 10, 2003

Prot. N. 223/02-16156

His Eminence Joseph Cardinal Ratzinger
Congregation for the Doctrine of the Faith
00120 Città del Vaticano
Palazzo del S. Uffizio
Vatican City State
Europe

Your Eminence,

I am writing to you to bring to your attention additional information in the case of **Reverend Gerald B. Fessard.**

Presentations by plaintiff attorneys in civil litigation against the Archdiocese have surfaced the names of two additional victims who allege that Father Fessard sexually abused them. These are men whose allegations we have never heard before. They report that Father Fessard sexually abused them.

One claims three specific instances of abuse in the years 1976 and 1977. The other reports six or seven instances in 1979. These allegations involve actions that are more egregious than the behavior previously reported. The allegations appear to have some credibility in that details reported coincide known aspects of Father Fessard's assignment history.

Since these men have come forward in civil litigation, there is every possibility that Father Fessard's name will once again be in the media and press, creating greater scandal.

Monsignor Craig A. Cox, Vicar for Clergy of the Archdiocese of Los Angeles, asked that I make this information available to you as part of your consideration of the situation.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Administrative Services

254349

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

February 24, 2003

To Whom It May Concern:

I graduated with a doctorate in canon law (J.C.D.) from The Catholic University of America in 1989. Subsequent to my studies, I served in the Metropolitan Tribunal of the Archdiocese of Los Angeles in several capacities, including that of Judicial Vicar from 1992 – 2000.

Reverend Gerald B. Fessard has a licentiate in canon law (J.C.L.) from the University of St. Thomas (the Angelicum). After completing his degree, Father Fessard served from 1991 – 2002 in the Metropolitan Tribunal of the Archdiocese of Los Angeles, including service as Adjutant Judicial Vicar.

Father Fessard is a knowledgeable and n insightful canonist, a fine writer, and demonstrates very good analytical skills.

Should you have any questions about Gerald B. Fessard and his canonical qualifications, please do not hesitate to contact me. May God bless you!

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

55924

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7284
3424 Wilshire Boulevard
Los Angeles California 90010-2241

February 24, 2003

Reverend Gerald B. Fessard
REDACTED
REDACTED

Dear Gary:

Thank you for writing. I have asked REDACTED to request a check and forward it on to you in payment of the stipend for the retreat.

I did indeed phone REDACTED about your job application, though I was delayed in attending to that call because of my testimony and that of others of my staff before the Grand Jury. He was in a meeting at the time I called, and I left a message with his secretary. I never heard back from him. Perhaps by that time the job possibility had already fallen through.

As to the other matters you raised, my lack of attention to them is a factor of exhaustion and being totally overwhelmed. Enclosed is a "To Whom It May Concern" letter fort use in seeking canonical work.

Your letter of December 14, 2002 regarding priest's health insurance coverage was passed on to Monsignor Loomis. Monsignor Loomis indicated to me that he responded to that letter. If you did not receive that response, please contact Monsignor Loomis to request a copy.

Finally, you had asked that I keep you aware of any other developments that might affect you. We have recently received a lengthy list of those alleging misconduct from a number of plaintiff attorneys. On this list are the names of two individuals claiming to have been mistreated by you during the time of your service of your service at Santa Clara. These are names that have never before come to our attention. REDACTED
REDACTED

You continue to be in my prayers.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

55923

enclosure

REDACTED



February 25, 2003

Rev. Msgr. Richard A. Loomis
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Dick:

In a letter received today, Craig Cox informed me that a letter I had written to him, dated December 14, 2002, had been forwarded to your office. In my letter I sought clarification of the archdiocesan policy on the health insurance plan for priests. A copy of that letter is enclosed.

In his letter, Craig indicated that you told him you had replied to the forwarded letter from me. I have searched my files and can find no letter more recent than yours to me dated December 2, 2002. This was a reply to a letter I had sent to Craig and dated November 7, again forwarded to you.

It could be that the two letters have been confused by either yourself or Craig. The December 14 letter was sent to him in his capacity as Vicar for Clergy inasmuch as it involved interpretation of the current written policy for all archdiocesan priests.

If in fact you have replied to this December 14 letter in behalf of Craig, I would appreciate your sending me a copy of your reply at your earliest convenience. If not, I would be grateful if you and he could consult as to an appropriate reply to my concerns.

Thank you very much.

Fraternally in Christ,

Rev. Gerald B. Fessard, J.C.L.

Cc: Msgr. Craig A. Cox, J.C.D.

55915

RECEIVED
FEB 27 2003

REDACTED

February 25, 2003

Rev. Msgr. Craig A. Cox, J.C.D.
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

Thank you for your letter of February 24. Thanks in particular for your letter of recommendation. I realize how busy you have been and appreciate the extra time it took for this task. Finally, I thank you for arranging to pay the retreat stipend. Apparently, REDACTED had it sent directly to REDACTED Retreat, but I received word from the director that they had received it.

Concerning the December 14 letter, as you suggested I have written to Dick Loomis, as I have not received his reply to that letter. I am enclosing a copy of my letter to him as well as the original letter to you, in case it has been misplaced. As I indicate, there may be some confusion, since Dick had in fact replied to another letter I sent to you in November. That reply is what occasioned my December 14 letter to you.

In any case, I look forward to receiving a response to the December 14 letter as soon as possible.

Thank you again, and you are in my prayers.

Fraternally in Christ,

Rev. Gerald B. Fessard, J.C.L.

Enclosures: Letter to Msgr. R. Loomis
Copy of 12/14/02 Letter to Msgr. C. Cox

55914

REDACTED

March 1, 2003

His Eminence Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

I am writing to request the assistance of the Archdiocese in maintaining my health care insurance coverage.

As you are no doubt aware, I was informed that I would no longer be covered under the archdiocesan health care plan for priests effective September 1, 2002. At that time I was told that I could elect to continue my coverage under COBRA at my own expense. The cost of this coverage to me was to be [redacted] per month. Since this amount was beyond my financial ability, I immediately began to look for other affordable coverage.

In a letter of August 23, 2002 Msgr. Dick Loomis informed me that the Archdiocese, "as a kindness and an aid in my transition," would be sending me the equivalent of six months' coverage of my COBRA health care premiums. I received this check on September 21, 2002.

After being turned down for individual coverage by two major health care insurance providers due to preexisting conditions, I was finally able to secure coverage through an association for the self-employed at a cost of [redacted] per month. Though this coverage is still beyond my means and is not equivalent to what I had under the archdiocesan plan, it is all I can find and/or qualify for. Throughout these months, I have continually searched for employment that would enable me to sign up for a group insurance policy at a more reasonable cost, but I have been unable to find secular employment. The canonical work I have been given from the Los Angeles and Orange tribunals, while appreciated, is neither steady nor sufficient in volume to meet my needs even minimally. I further expect that the income tax I will owe for the preceding year will exhaust what remains of my savings.

I recognize that these and other issues are presently under study by virtue of my recourse to the Congregation for the Doctrine of the Faith. I expect that they will be positively addressed in due time, though of course no one can predict when that will be. Meanwhile, my financial condition continues to deteriorate.

55921

Pending the resolution of these issues by the Congregation, therefore, I must ask you for continued assistance in paying the [redacted] month health care insurance premium I now face. Of the amount advanced to me by the Archdiocese last September, the approximately [redacted] that remains will be expended with the automatic deduction from my bank account for the month of March.

I will be grateful to hear from you as soon as possible in response to this request. Thank you for your consideration.

Your brother in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

SAINT JEROME CHURCH
5550 THORNBURN STREET
LOS ANGELES, CALIFORNIA 90045-2141
(310) 348-8212 FAX (310) 417-3577

To: Cardinal Roger Mahony **FAX: 213 613-1551**

From: Monsignor Richard A. Loomis

Date: March 11, 2003

Re: Father Gerald Fessard

As you can see from the attached correspondence, Father Fessard is asking for continued help with his health insurance.

Father Fessard has received the same assistance that we have offered to all other priests not-in-active-ministry since I became Vicar for Clergy. To the best of my knowledge, Monsignor Cox has followed the same guidelines that were in effect in my time as Vicar:

1. ceasing reimbursement for the patient portion of covered expenses, with notification in writing to the priest,
2. continuing RETA coverage until COBRA must be issued,
3. ending Archdiocesan-paid coverage.

In Father Fessard's case, we also extended him funding for six months of COBRA coverage. He used these extra funds to find coverage through an association for the self-employed (@[redacted]per month).

Several times, Father Fessard has contested the Archdiocesan practices of a) not reimbursing inactive priests for the patient portion of expenses and b) ceasing RETA coverage and issuing COBRA. I have responded to him each time by maintaining the correctness of our regular practice.

Even so, Father Fessard is asking for help with the[redacted]per month insurance premium pending the outcome of his appeal for increased support submitted to Cardinal Ratzinger. This would be in excess of the monthly transitional support he currently receives through the Vicar's office.

Since medical care can be a very sensitive point in considerations in Rome and since he is asking for help and not demanding a right, I reluctantly recommend that we accede to his request for help as ***an exception to our policy*** pending the outcome of the appeal to Rome.

I will of course maintain our current practice and decline his request if you prefer.

55920

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2241

March 12, 2003

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

I have received your letter of March 1, 2003 in which you outline your need for funds to pay your monthly health insurance premium pending the outcome of your appeal for increased support submitted to the Congregation for the Doctrine of the Faith.

As you are aware, this would be beyond the customary assistance for all of our priests not in active ministry. Consequently, I am not able to grant your request, even by way of exception to our regular practice.

However, as an act of fraternal charity to you during this time, I am authorizing the payment of [redacted] per month to you to be used solely and exclusively for your health insurance premium.

In order to have our records accurate, please send to Monsignor Richard Loomis a copy of the health insurance premium statement and proof of payment each month.

In any case, we will review this arrangement, at your request, in six months time.

With every best wish, I am

Sincerely yours in Christ,

+ Roger Card. Mahony

His Eminence
Cardinal Roger Mahony
Archbishop of Los Angeles

cc: Reverend Monsignor Richard Loomis

REDACTED

bc: Msgr. Craig Cox

55919

COPY

Archdiocese of Los Angeles
Secretariat for Administrative Services (213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

March 12, 2003

Reverend Gerald Fessard
REDACTED

Dear Father Fessard,

Monsignor Cox informed me that you had not received my reply to your December 15, 2002 letter. I then received your letter also stating that you had not received a reply. Due to several factors, I responded after some time but I have no idea why you did not receive the letter. I am attaching a copy for your records.

I understand that you have also made a direct request for assistance to Cardinal Mahony and believe you will be hearing from him in the near future.

I regret any misunderstanding or inconvenience regarding my previous reply.

Please know that you continue in my prayers in what I know must be a difficult and painful situation.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Administrative Services

cc: Monsignor Craig A. Cox

55917

Archdiocese of Los Angeles | Office of Vicar for Clergy (213) 637-7284 | 3424 Wilshire Boulevard | Los Angeles California 90010-2202

March 13, 2003

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

Thank you for your letter of February 25. I am longing for July 1 when I will have an assistant vicar to work alongside me. Until then, I am in the position of toughing it out.

Please continue to pray for me and for all my staff here.

You continue to be in my prayers.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

55913

The Superior Court

JOHN A. CLARKE
EXECUTIVE OFFICER/CLERK

CRIMINAL COURTS BUILDING
210 W. TEMPLE STREET | LOS ANGELES | CALIFORNIA | 90012

Date: **MARCH 21, 2003**

Defendant Name: FESSARD, GERALD BUCKLEY **Date of Birth: 07/14/1946**

Information was requested concerning the above-named individual. After searching computerized Misdemeanor and Felony indices for cases filed within our jurisdiction, the following information was found:

☐ We have no record of this case filed within our jurisdiction.

☐ The docket (s) and/or case file (s) for the case numbers listed below have been destroyed in compliance with existing laws relating to case destruction.

Defendant Name	Case Number

☐ Based on the information provided, we are unable to determine whether a case was filed.

☒ The following case(s) were found:

Defendant Name	Case Number
FESSARD, GERALD BUCKLEY	**LAA 87M14440-01**

JOHN A. CLARKE
Executive Officer/ Clerk
of the Superior Court

by: Suzanne Hernandez
Deputy Clerk SUZANNE HERNANDEZ

SUPERIOR COURT, LOS ANGELES COUNTY, CALIFORNIA

254506

Document Name: untitl

TCIS - INACTIVE CASE SUMMARY JUD DIST LAA

ASE# 87M14440 DEF# 01 VIOL DT 031787 FILE DT 060187

FIRST GERALD MID BUCKLEY LAST FESSARD SUFX

DOB REDACTED SEX M HAIR BRO EYES BLU HGT 509 WGT 160 RACE W

ID#S: OLN REDACTED ST CA PD REDACTED SSN REDACTED BKG

VLN ST CIT MAIN CII 90707148

LCN FBI

FICHE DATE 1: 022094 FICHE DATE 2:

--- CASE DISPOSITION ---

CT	VIOL	TYPE	PLEA	DATE	CODE	JAIL	PROB	FINE
01	647(A) PC	MA	NC	062387	CON			
02	242 PC	MA		062387	DIA			
03	647(A) PC	MA		062387	DIA			
04	242 PC	MA	NC	062387	CON			

ADDTL CHARGES PRESS PA1

NXT CASE# DEF# * INCS *

Date: 03/20/2003 Time: 12:38:23 PM

254507

REDACTED

March 27, 2003

Rev. Msgr. Richard A. Loomis
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Dick:

In his letter of March 12, 2003 acceding to my request for reimbursement of health care premiums pending resolution of my recourse to the Congregation for the Doctrine of the Faith, Cardinal Mahony asked that I send to you verification of coverage and record of payment. These are enclosed herewith.

I have arranged for the monthly premium of [redacted] to be paid by automatic deduction from my checking account. There is no record of this other than my monthly bank statement. This of course contains confidential information which I am unwilling to provide monthly; however, I have included herewith an expurgated version of my last statement to verify that the deduction was indeed made. As you will note from the other enclosed page, this arrangement will stand until I notify the company in writing to the contrary. I have also requested that the insurance company fax me a "payment history" to verify my past payments. As they may be unwilling to fax it, I may have to await it by postal mail. So as to expedite the process of reimbursement, which I need as soon as possible, I am sending to you what I now have.

The automatic deduction is now made on the 3rd of each month, as a result of my requested change in the original effective date of the policy. I would therefore request that you kindly arrange for my reimbursement in future months as close to this date as possible.

It was not clarified whether the reimbursement will take the form of monthly payments or whether it will be a lump sum, as it was in September. May I request, however, that the first reimbursement at least cover the months of March and April, since the April deduction will come very soon. The two months' premium would then amount to $[redacted].

Thank you for your assistance in this matter.

Fraternally in Christ,

Gerald B. Fessard

Rev. Gerald B. Fessard

Enclosures

254345

MAR 31 2000

REDACTED

REDACTED

April 14, 2003

Monsignor Craig Cox
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Father Gary Fessard

Dear Monsignor Cox:

It has come to my attention that the U.S. Archdiocese has recently received a subpoena seeking production of Father Fessard's files.

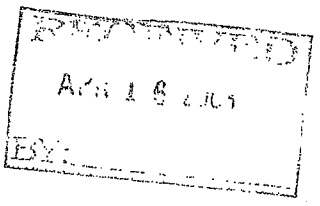
This is to renew Father Fessard's instructions concerning those files which we expressed to you last year. That is, Father Fessard asserts his appropriate privileges against production of his personnel file as the production would violate Father Fessard's constitutional rights.

Sincerely,

REDACTED

REDACTED

cc: Father Gary Fessard



A0031340.WPD

COPY

Archdiocese of Los Angeles
Office of the Archbishop (213)637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2202

April 17, 2003

Rev. Gerald B. Fessard
REDACTED

Dear Father Fessard:

I have received your letter dated March 26, 2003 in which you are seeking yet additional financial assistance, assistance beyond the standard policies of the Archdiocese of Los Angeles.

It is the position of the Archdiocese of Los Angeles that our canonical obligations are being fully met by the financial support we have provided. In fact, had you not chosen to live in Laguna Nigel, one of the most expensive communities in Southern California, your current support would be adequate.

In fraternal charity, we will continue to offer you financial support at the present level for the time being, and we encourage you to take more proactive steps to find full employment as quickly as possible. The actions taken by other entities with respect to your canonical employment are beyond our responsibility. However, it seems imperative that you take urgent steps in two ways: first, to seek full employment, regardless of the nature of that employment; and secondly, to reduce substantially your living expenses—for example, your place of residence, your automobile, and other similar items.

We will not consider any further requests for a change in your support pending a ruling on your appeal to the Congregation for the Doctrine of the Faith.

Please keep in mind that the charitable assistance I extended to aid with your health insurance premiums will be reassessed in the near future. You should not presume that such assistance is open-ended.

As you know, it is impossible to consider any partial or full return to priestly ministry now or in the future. Consequently, you need to develop a new direction in your life, and take proactive steps to find regular sources of income from your employment and to reduce your personal living expenses.

The Archdiocese of Los Angeles has been more than generous in its financial assistance to you, assistance that is given in fraternal charity.

254343

Asking God's light and wisdom for you as you choose a new life path, and with every best wish, I am

Sincerely yours in Christ,

+ Roger Cardinal Mahony

His Eminence
Cardinal Roger M. Mahony
Archbishop of Los Angeles

j

cc: His Eminence
Cardinal Josef Ratzinger
Prefect
Congregation for the Doctrine of the Faith

254344

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

COPY

25 June, 2003

PROT. N. 223/02-17039
(In responsione fiat mentio huius numeri)

Dear Fr. Fessard,

The Congregation for the Doctrine of the Faith has studied the acts pertaining to your recourse to this Dicastery against the level of remuneration currently accorded to you by the Archdiocese of Los Angeles.

I regret to have to inform you that, having carefully examined all the elements of the case, the Congregation has decided not to grant the recourse which you have presented. You are encouraged to act on the advice which Cardinal Mahony offered you in his letter of 17 April, 2003.

In the hope that you will be able to resolve your current difficulties by following His Eminence's recommendations, I take this opportunity to assure you of my prayers and good wishes,

Yours devotedly in the Lord

Augustine Di Noia op

Fr. Joseph Augustine di Noia, O.P.
Undersecretary

The Reverend Gerald B. FESSARD
REDACTED

STATI UNITI D'AMERICA

254480

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

25 June, 2003

PROT. N. 223/02-17039
(In responsione fiat mentio huius numeri)

Dear Fr. Fessard,

The Congregation for the Doctrine of the Faith has studied the acts pertaining to your recourse to this Dicastery against the level of remuneration currently accorded to you by the Archdiocese of Los Angeles.

I regret to have to inform you that, having carefully examined all the elements of the case, the Congregation has decided not to grant the recourse which you have presented. You are encouraged to act on the advice which Cardinal Mahony offered you in his letter of 17 April, 2003.

In the hope that you will be able to resolve your current difficulties by following His Eminence's recommendations, I take this opportunity to assure you of my prayers and good wishes.

Yours devotedly in the Lord

Augustine Di Noia op

Fr. Joseph Augustine di Noia, O.P.
Undersecretary

The Reverend Gerald B. FESSARD
REDACTED

250261

STATI UNITI D'AMERICA

MEMORANDUM

TO: Cardinal Roger M. Mahony

FROM: Monsignor Craig A. Cox

RE: Father Fessard's Recourse

DATE: 8 July 2003

As I informed you by email, we have received the response to his recourse. Enclosed are copies of both Cardinal Ratzinger's letter to you and the one to Father Fessard.

I recommend that you send a letter of appreciation to Cardinal Ratzinger. In that letter, you should note that we will extend a new invitation to Father Fessard that he voluntarily petition for a dispensation from clerical obligations. Should he choose not to do so, we will move forward with the appropriate canonical action and forward materials to the CDF.

Do you wish to prepare that letter yourself, or would you like me to do so?

Thank you.

attachments

Craig,

Please prepare a letter for me - Thanks!

+ RMM

7-10-03

253355

Archdiocese of Los Angeles

Archdiocesan Catholic Center
Office: (213) 637-7000
Fax (213) 637-6000

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

July 14, 2003

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard,

Please find with this letter a copy of the decision of the Congregation for the Doctrine of the Faith in regard your recourse regarding the matter of financial support from the Archdiocese of Los Angeles. Though it is not the outcome you sought, I do hope that it brings some resolution to the situation and will allow you to make plans for the future.

Clearly, there is no possibility of return to ministry for you. In light of that fact, I propose to you once again the Cardinal's invitation that you petition for a return to the lay state. Such a petition on your part would serve the welfare of the Church at this difficult time. It may also afford you a dignified and spiritually beneficial way forward.

Finally, due to my new duties as Pastor, please direct any further correspondence with the Archdiocese to Father Gabriel Gonzales. He has just begun service as Assistant Vicar for the Clergy, and the Cardinal has designated him to be his liaison with you.

Please know that you have been and will continue to be in my prayers.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Delegate

attachment

250262

SAINTS FELICITAS AND PERPETUA CHURCH
REDACTED

CONFIDENTIAL

July 14, 2003

REDACTED
Vicar for Canonical Services
111 Boulevard of the Allies
Pittsburgh, PA 15222

Dear REDACTED

Since you have been involved with the case involving Father Gary Fessard from the start, I thought you would like to know that Rome denied his petition in every particular. That things went in favor of the Archdiocese was in no small way due to your efforts.

If the Archdiocese owes you any further stipend, please forward a bill to me and I will present it for payment.

Please accept my thanks for your time and help. In the midst of the full-court press we have been experiencing here in California, your firm, confident replies were a tremendous help in maintaining perspective.

As you can see, God has been gracious, moving me from diocesan administration to my first love in priesthood: parish ministry. You will continue in my prayers. If there is anything I can ever do to assist you, please let me know.

Thanks, again! God bless you!

PAX!

Dick

Reverend Monsignor Richard A. Loomis
Pastor

254336

To learn and worship ... to love and serve

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Father Gerald B. Fessard
REDACTED

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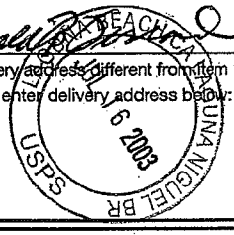

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254535

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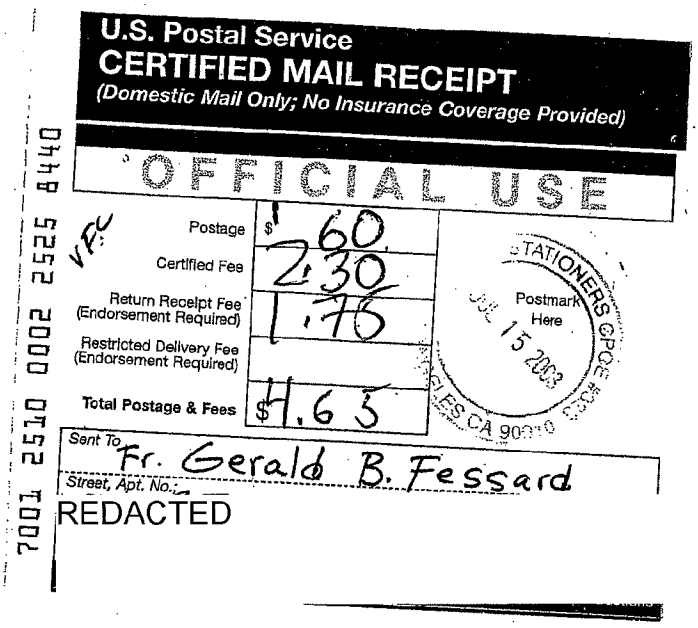

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Sent To Fr. Gerald B. Fessard

Street, Apt. No.:

REDACTED

254537

REDACTED

July 18, 2003

CONFIDENTIAL

Rev. Gabriel Gonzales
Associate Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Gabe:

I am writing to acknowledge receipt of the letter of Msgr. Richard Loomis, dated July 14, 2003, enclosing the letter from the Congregation for the Doctrine of the Faith dated June 25, by which I am informed that the Congregation has denied my petition for recourse against the decision of His Eminence, Cardinal Mahony, to request my resignation from active priestly ministry and against the financial assistance proposals made to me in connection with this decision.

In his letter, Monsignor Loomis informed me that you have been designated to succeed him in corresponding about and negotiating these matters.

At this time I simply wish to assure you that I am taking these recent communications under consideration and intend to consult with my advisors concerning whatever options may be open to me and what is the best path for me. Thank you for your willingness to assist in resolving what has been a most difficult period in my life and vocation.

Fraternally in Christ,

Rev. Gerald B. Fessard

RECEIVED
JUL 2 1 2003
BY:

254338

Rev. Gerald B. Fessard

REDACTED

REDACTED

254339

CONFIDENTIAL

18 JUL

37 USA

Rev. Gabriel Gonzales
Associate Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

90010-2241

CCI 000694

RCALA 003627

Department of Canonical Services
Office of the Vicar

DIOCESE OF PITTSBURGH

REDACTED

July 20, 2003

Reverend Monsignor Richard A. Loomis
Saint Felicitas and Perpetua Parish
1190 Palomar Road
San Marino, CA 91108-2293

Dear Dick:

May I express my thanks for your information and kind woods regarding the appeal that had been lodged in Rome and the final decision of the Congregation for the Doctrine of the Faith. It seems that the Congregation is not granting many appeals from clergy unless there has been an egregious violation of rights.

Thanks for the opportunity to assist the Archdiocese in this Appeal. I(appreciate the faith and trust that you and the Cardinal have placed in my ability. As the scripture reminds us, "a prophet is not without honor except in his native place."

If possible, I would appreciate a copy of the final decree from Rome. This would give me an opportunity to review the rationale for the denial. I assure you it will remain confidential.

With personal best wishes, I am

Fraternally Yours,
REDACTED

Very Reverend REDACTED
Vicar for Canonical Services

254335

SAINTS FELICITAS AND PERPETUA CHURCH
REDACTED

RECEIVED
JUL 2 8 2003
BY:

COPY

July 25, 2003

REDACTED

Vicar for Canonical Services
111 Boulevard of the Allies
Pittsburgh, PA 15222

Dear REDACTED

This is just a quick note to let you know that, since the appeal to the Congregation for the Doctrine of the Faith was denied, I no longer have control of the materials connected to the appeal.

I have forwarded your request for a copy of the decree to Father Gabriel Gonzales, of the Office of the Vicar for Clergy in the Archdiocese of Los Angeles.

Thanks, again, for all your help.

PAX!

Dick

Reverend Monsignor Richard A. Loomis
Pastor

To learn and worship ... to love and serve

Msgr. Richard A. Loomis
Sts. Felicitas & Perpetua Church

REDACTED

Gabe,
These are final letters between myself & our canonist in the recent appeal to the CDF.
Please note the last paragraph of letter. Better

REDACTED

REDACTED

REDACTED

consult with Craig or another canonist about a copy of the decision.
Also, I do not think these letters need to be in the file. I just wanted you to know.
PAX!
Dick

254333

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

July 28, 2003

CONFIDENTIAL

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

I would like you to know simply that I received your letter of July 18 in which you acknowledge receipt of the letter of Monsignor Richard Loomis together with the letter from the Congregation for the Doctrine of the Faith dated June 25.

I would like you to know, as well, that I am aware of how indeed this is a most difficult period for you and that you are in my prayer. Please do not hesitate to contact me in the future if I can be of assistance to you.

Fraternally in Christ,

Gabriel Gonzales

Reverend Gabriel Gonzales
Assistant Vicar for Clergy

254337

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

July 31, 2003

FILE COPY

REDACTED

Vicar for Canonical Services
111 Boulevard of the Allies
Pittsburgh PA, 15222

Dear Father REDACTED

Monsignor Richard Loomis has forwarded your letter of July 14 to me as I have been asked to assume the custody of the materials related to the case of Father Gerald Fessard. This also presents an opportunity to introduce myself to you. I have been appointed as the Assistant Vicar for Clergy for our Archdiocese. This appointment is with a view of learning the various tasks and responsibilities of the office so that in three years I would eventually become the Vicar.

I, too, would like to express our immense appreciation to you for all the work that you were kind enough to do for us with respect to this case. Your skill and talent were instrumental in our efforts.

Enclosed you will find a copy of the letter sent by Cardinal Joseph Ratzinger to Cardinal Roger Mahony. You will find, as well, a copy of the letter signed by the undersecretary for the Congregation for the Doctrine of the Faith, Father REDACTED that we were asked to forward to Father Fessard on behalf of the Congregation. As you can see, the letters provide little in the way of explanation for the decision.

For your information, I am also enclosing a copy of a letter that I recently received from Father Fessard advising me that he has written to the Congregation requesting an explanation.

Finally, Monsignor Craig Cox has asked me to convey his best wishes to you.

Thank you once again for all. I hope that I will have the opportunity to meet you one day.

Fraternally yours in Christ,

Reverend Gabriel Gonzales
Assistant Vicar for Clergy

254332

REDACTED

September 26, 2003

Dear Gabe,

I had hoped to be able to say "hello" to you last Tuesday in the hall after REDACTED funeral, but I guess you left before I knew it. Sorry I missed the opportunity.

Tuesday was my first venture into a large clerical gathering since 2-11-02. It was good to see so many of the brothers.

I hope that some day soon, at a time convenient for you, we might get together for an informal chat. If and when this is possible, you can reach me at REDACTED
REDACTED

I hope your new ministry is going well.

Fraternally,

Gary

Gary Fessard

254331

REDACTED

October 11, 2003

Rev. Msgr. Gabriel Gonzales
Associate Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Gabe:

First let me offer my sincere congratulations and best wishes on your recent honor from the Holy Father.

I am enclosing a copy of my letter to Cardinal Mahony, giving him an update on my response to his "Good Friday" letter and suggestions.

As this letter makes some reference to my health and insurance difficulties, I wanted you to be apprised of it. Specifically, I want to call to your attention the fact that I will be discontinuing my present health care coverage effective October 31, so you may wish to discontinue the issuance of the monthly checks I have been receiving as reimbursement.

I would appreciate any assistance you could render in helping me to meet the new challenges I face as I have outlined them in the accompanying letter.

Fraternally in Christ,

Rev. Gerald B. Fessard

Cc: Cardinal Roger Mahony

Enclosure

RECEIVED
OCT 15 2003
BY:

254327

6 Alleged Molesters Were Priests in the Same Oxnard Parish, Suit Says

A lawyer for the Archdiocese of Los Angeles denies that Santa Clara Church was a 'dumping ground' for pedophile clergy.

By JEAN GUCCIONE
Times Staff Writer

LA Times 28 OCT 2003

At least six priests who are accused of molesting children worked or spent time at the same parish, Santa Clara Roman Catholic Church in Oxnard, between 1962 and 1996, according to a lawsuit filed against the Archdiocese of Los Angeles.

The suit was filed on behalf of 16 men and a woman who say they were molested as children by five of those priests between 1959 and 1985.

"It is doubtful any child could have grown up at Santa Clara Parish from the 1960s through the 1990s without being exposed to a pedophile priest," attorney Raymond P. Boucher wrote in the lawsuit, filed in Los Angeles County Superior Court.

The six priests — Donald Patrick Roemer, George Miller, Carl Sutphin, Roderic Guerrini, Stephen Hernandez and Gerald Fessard — were "some of the most prolific pedophiles within the Los Angeles Archdiocese," the lawsuit states.

Roemer and Fessard are convicted child molesters, according to the civil complaint. Child molestation charges against Miller and Sutphin were dropped this year after the U.S. Supreme Court ruled that the sex-abuse allegations against them were too old to prosecute. Neither Guerrini nor Hernandez has been charged with crimes.

Although the suit focuses on the Santa Clara Parish, only four of the plaintiffs were parishioners there during the time they say they were sexually abused by priests, according to the complaint. Seven others were allegedly abused by priests who were later transferred to the Oxnard church; the others say they were molested by priests once connected with the parish.

Although Fessard is mentioned in the suit, none of the plaintiffs allege they were abused by him. He was assigned to Santa Clara from 1977 to 1980.

Together, the six priests mentioned in the suit have at least 55 alleged victims, the suit contends.

"I suppose somebody could say it is coincidental, but the facts really speak for themselves," Boucher said Monday.

J. Michael Hennigan, attorney for the Archdiocese of Los Angeles, denied that the Oxnard church was a dumping ground for pedophile priests. Further, most of the allegations made in the lawsuit were about incidents that took place before Cardinal Roger Mahony became archbishop, he said.

"I cannot even begin to speculate how multiple offenders get together in one place," he said, adding that it is "inconceivable" that someone would have knowingly dumped them all at Santa Clara.

"I don't believe in coincidence," Hennigan said. "There is an explanation about how this occurred. I just don't know what it is. But I reject the idea of a dumping ground."

> *'There is an explanation about how this occurred. I just don't know what it is.'*
>
> **J. Michael Hennigan,** attorney for L.A. Archdiocese

Boucher blamed the Archdiocese of Los Angeles for failing to protect children from the alleged sexual abuse they suffered at the hands of the accused priests.

The lawsuit alleges that the archdiocese was negligent in its hiring, retention and supervision of the priests and failed to warn parents about the potential dangers the men posed to children.

It also alleges that the archdiocese breached its fiduciary duty to protect children who attended churches and church-owned schools, and alleges that many of the sexual assaults took place on archdiocese property.

Daniel Smith, the lead plaintiff in the case, said he was 9 when he met Roemer at catechism classes at St. Paschal Baylon Church in Thousand Oaks. They bonded over sports.

"He was the lovable Father Pat," Smith recalled. "I trusted him because that's what I was taught."

Roemer began sexually abusing Smith in 1980 on the church grounds, according to the lawsuit. The abuse stopped a year later when Roemer was arrested for molesting other boys, Smith said.

Roemer, who was convicted of molesting boys in 1981, was a fixture at the Santa Clara Parish while he was attending nearby St. John's Seminary in Camarillo throughout the 1960s, according to the lawsuit.

Another plaintiff, who asked that his name not be published, said he and his brother were molested by Miller while they attended elementary school at Guardian Angel Catholic Church in Pacoima.

He said he came forward after prosecutors were forced to drop their criminal case against Miller when the Supreme Court ruled that a California law extending the statute of limitations in such cases was unconstitutional.

"It left us no choice," he said.

"It's not Miller I am upset with. He is a sick individual," the man said. "I'm upset with the people who are not sick, those who have purposefully lacked recognition, responsibility for what they did."

Miller was transferred to Santa Clara in 1984, after he allegedly molested the brothers at Guardian Angel, where he was pastor.

The lawsuit also alleges that Sutphin molested three boys at St. Rose of Lima in Maywood from 1962 to 1973; two at St. Mary Magdalen in Camarillo from 1972 to 1975; and twin brothers at St. John's Regional Medical Center in Oxnard in 1977, while Sutphin was regularly saying Mass at Santa Clara Church.

The suit accuses Guerrini and Hernandez of molesting a girl and a boy, respectively, while they were assigned to Santa Clara Parish in the 1970s.

254534

Orange County Expected to Keep Interim Top Executive Until 2005

Search for permanent chief administrator is put on hold. The man who came out of

through a spokeswoman.

Ruth has held the executive officer's job on an interim basis since January, managing the county's 18,000 employees and $4.8-billion budget. He replaced Michael board. The most promising prospect was Riverside County chief executive Larry Parrish, who declined because his retirement package there was more lucrative than Orange County could offer.



MEMORANDUM

TO: REDACTED

FROM: Monsignor Gabriel Gonzales M.G.

RE: Increase in Reimbursement for Father Fessard

DATE: October 28, 2003

Effective immediately we will be reimbursing Father Gerald Fessard for the cost of his health insurance premium including an increase.

Total reimbursement amount will total [redacted] per month.

Please make the necessary adjustments for this monthly reimbursement.

Please also issue a check to him in the amount of [redacted]. This reflects the difference between the increased premium of [redacted] and the [redacted] for the month of November that he has already received.

Thank you very much.

253346

Inv # 1218 VC
Voucher #104991

REDACTED

December 16, 2003

Rev. Msgr. Gabriel Gonzales
Office of the Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

01112-510100

Dear Gabe,

Thank you for your phone call this morning. I will look forward to receiving the check for payment toREDACTED Thank you again for facilitating this.

REDACTED

Thank you again, Gabe, for your support and assistance. May this Advent and Christmas season be especially blessed for you.

Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard

Enclosure

DEC 18 2003

253343

REDACTED

From: Cox, Msgr. Craig A.
Sent: Saturday, February 07, 2004 5:27 PM
To: REDACTED
Subject: FW: RE: Fr. Fessard

REDACTED

Please enter this updated information as soon as possible.

Fr. Craig
-----Original Message-----
From: Gary Fessard [mailto:REDACTED
Sent: Saturday, February 07, 2004 4:52 PM
To: Craig A. Cox J. C. D.
Cc: Cox, Msgr. Craig A.
Subject:

Hi, Craig,

Not sure whether you are receiving e-mail at the office, so I am writing you at home with a "CC" there.

Could you please forward this to whoever in your office handles my mailing address and phone information?

I have moved last week, and my new mailing address is:

REDACTED

Also, my new phone number for your use isREDACTED

My ceel number remains REDACTED

Thank you. Hope things go reasonably well for you.

Fraternally,

Gary Fessard

REDACTED

February 22, 2004

Cardinal Roger Mahony
Archbishop of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

I am writing to express my sadness and disappointment at your decision to publish a report listing my name with that of hundreds of other priests who have served in the Archdiocese and who have been accused of sexual abuse of minors. My disappointment comes as you have broken your word to me in our meeting of February 2002, when you stated that you and the Archdiocese would not be among any source publicizing our names. While I can appreciate your need to take steps to reassure the Catholic community and heal wounds, you have done so in a way that is defamatory, un-Christian and destined only to further erode the morale of our active clergy and weaken the faith of our people and their confidence in their presently active shepherds.

Given your decision to release of this report as you have, and my own rather prominent mention in it, I can only earnestly request that the information you have chosen to give at the least be accurate in my regard. Accordingly, I wish to state that the plea I entered in response to the charges brought against me was a *nolo contendere* plea, not a plea of "guilty." Since you chose to specify this *nolo contendere* plea with respect to other priests mentioned in the report, I hereby ask that you formally amend your report to reflect this in my own case, both in the version now published on the archdiocesan web site and any additional reports you may file nationally or with the Vatican. This will of course do nothing to erase the defamation you have committed in my regard, but it will at least be a more truthful portrayal of events long past and for which I have and continue to make satisfaction.

Sincerely yours in Christ,

Rev. Gerald B. Fessard

Cc: Msgr. Craig A. Cox, J.C.D.

253339

REFERRAL MEMORANDUM from CARDINAL ROGER MAHONY

TO: Msgr. Cox / Gonzales **DATE:** 2-25-04

( ) Please **REVIEW**, then **SEE ME**
(X) Please **REVIEW**, then **RETURN** to me
(X) Please **REVIEW**, then **SEND** me your **COMMENTS**
( ) Please **REVIEW**, then **FILE**

( ) Please **HANDLE** this matter **ENTIRELY**
( ) Please **ANSWER**; send copy of letter to me
( ) Please **WRITE A REPLY** for my signature
( ) For your **INFORMATION**
( ) Please **XEROX - FAX** and send copy/copies to:

No reply needed.

Original to: ( ) file ( ) back to me ( )

REMARKS: Advice, please!

Thanks!

253338

CCI 000708

RCALA 003640

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

15 May 2004

PROT. N. 223/02-19233
(In responsione fiat mentio huius numeri)

Dear Fr. Fessard,

With your letters of 23 July and 11 October last, you asked this Congregation to supply further reasons for the decision not to grant the recourse which you presented against the action of His Eminence, Cardinal Roger Mahony, Archbishop of Los Angeles, who removed you from the public exercise of your priestly ministry on the basis of your previous history, acknowledged by you, of sexual abuse of minors. In particular, you have expressed dissatisfaction with the level of remuneration provided by the archdiocese of Los Angeles, even though Cardinal Mahony, in his letter to you of 17 April 2003, explained that the archdiocese of Los Angeles "has been more than generous in its financial assistance to you, assistance that is given in fraternal charity."

You are reminded that, according to Canon 1395 § 2 of the Code of Canon Law, just penalties are due in the case of delicts of this kind. Moreover, the grave obligation to protect the common good of the Church has consequences both for yourself (Canon 223 § 1) and for your Ordinary (Canon 223 § 2). This Congregation shares the views expressed by Cardinal Mahony in his letter to you of 17 April 2003, and therefore judges that the requirement of Canon 1350 § 1 is being met in your case.

You are encouraged once again to take steps to resolve your current difficulties by following His Eminence's recommendations. In the hope that you will indeed be able to do so, I take this opportunity to assure you of my prayers and good wishes,

Yours devotedly in the Lord

J. Augustine di Noia

Fr. Joseph Augustine di Noia, O.P.
Undersecretary

The Reverend Gerald B. FESSARD
8 Terrace Circle
Laguna Niguel
CA 92677-4115

250268

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

26 May, 2004

PROT. N. 223/02-19234
(In responsione fiat mentio huius numeri)

Your Eminence,

This Congregation has received a request from the **Reverend Gerald B. FESSARD**, a priest of the Archdiocese of Los Angeles, for a further explanation of the reasons why his recourse to this Dicastery against the remuneration he currently receives from the Archdiocese was unsuccessful.

A letter is enclosed in reply to Fr. Fessard, which Your Eminence is kindly requested to forward.

In Your Eminence's letter of 6 April, 2003, you referred to some additional information in your possession, relating to your stated wish to request dismissal from the clerical state in the case of Fr. Fessard and two other priests of your archdiocese. The Congregation looks forward to receiving this material in due course.

I take this opportunity to offer Your Eminence my sincere respects and with every best wish, I remain,

Yours devotedly in the Lord

+ Joseph Card. Ratzinger

(enclosure)

His Eminence
Roger Cardinal MAHONY
Archbishop of LOS ANGELES
3424 Wilshire Boulevard
Los Angeles
CA 90010-2241
U.S.A.

253333

REDACTED

May 29, 2004

REDACTED

3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear REDACTED

I hope this letter finds you well. I saw you recently at the memorial liturgy for Sister REDACTED and am sorry we did not get to visit then.

I am writing concerning your May 7, 2004 memorandum to all diocesan priests concerning the annual salary increase you authorized to take place effective July 1, 2004 (copy enclosed).

Since I was asked to leave active priestly ministry in February, 2002, I have continued to receive the monthly stipend current for priests in special ministry at that time. However, since that time, I have not received any increase either in the base salary or in the ordination increment to reflect increases in the Consumer Price Index for Southern California.

I am therefore requesting your kindness in providing an increase in my monthly compensation to reflect the currently approved increases to assist in my support.

Thank you very much for your consideration of this request.

Fraternally yours in Christ,

Gerald B Fessard

(Rev.) Gerald B. Fessard

254488

REDACTED

Mr. Gerald B. Fessard

SAN ANA CA 927 1
PM
01 JUN
2004

GREETING
FROM
Far Far Away

254

90010+2202

254489

MEMORANDUM

TO: Cardinal Roger M. Mahony

FROM: Monsignor Craig A. Cox

RE: Reverend Gerald B. Fessard

DATE: 25 June 2004

Attached is a letter from Cardinal Ratzinger addressed to you, and a copy of a letter from Father di Noia addressed to Father Fessard.

Also attached is a brief reply to Cardinal Ratzinger for your signature. Please return the signed copy to me and I will see that it is mailed and filed appropriately.

Thank you.

enclosures

Thanks! The cover letter needs to be re-done to give the correct mailing address - mail to the Vatican never goes via Rome, Italy - but 00120 Vatican City, Europe.

Thanks!

+ RMM

6-26-04

253332

FILE

Archdiocese of Los Angeles
Office of the Archbishop
3424 Wilshire Boulevard
Los Angeles California 90010-2202

June 28, 2004

REDACTED

Congregation for the Doctrine of the Faith
Piazza del S. Uffizio, 11
00120 Vatican City
EUROPE

RE: Prot. N. 223/02-19234

REDACTED

Thank you very much for your letter of 26 May 2004, and for the letter of REDACTED to Father Fessard of 15 May 2004. I have forwarded that letter to Father Fessard.

We are intending to present a formal documented request for the dismissal of Father Fessard. I still hope that he will present a petition for dispensation from the obligations of the clerical state voluntarily. Should he not do so, I will be presenting this case to you in the coming months.

Thank you for your attention to these difficult and critically important matter. Please know that you are in my prayers.

I remain,

REDACTED

+ Roger Cardinal Mahony

Cardinal Roger M. Mahony
Archbishop of Los Angeles

253331

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

June 28, 2004

CONFIDENTIAL

Archbishop Gabriel Montalvo, J.C.D.
Apostolic Nunciature
3339 Massachusetts Avenue, N.W.
Washington, DC 20008

RE: Congregation of the Doctrine of the Faith
Prot. N. 223/02-19234

Your Excellency:

Would you please be so kind as to forward the attached letter from Cardinal Roger Mahony to Cardinal Ratzinger at the Congregation for the Doctrine of the Faith?

Thank you again for yourt assistance with this matter. May God continue to bless you!

Yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

attachment

253330

APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3687

20058
No. .....
This No. Should Be Prefixed to the Answer

July 1, 2004

Reverend and dear Monsignor Cox:

I write to acknowledge your letter of June 28, 2004, with its enclosure addressed to His Eminence, Joseph Cardinal Ratzinger, Prefect of the Congregation for the Doctrine of the Faith, from His Eminence, Roger Cardinal Mahony, Archbishop of Los Angeles, concerning the case of **The Reverend Gerald B. Fessard, Prot. No. 223/02-19234.**

Please be assured that the above-referenced correspondence will be duly transmitted to Cardinal Ratzinger.

With prayerful and cordial best wishes, I remain

Sincerely yours in Christ,

+ Gabriel Montalvo

Archbishop Gabriel Montalvo
Apostolic Nuncio

The Reverend Monsignor Craig A. Cox
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, California 90010-2241

RECEIVED
JUL 6 2004
BY:

253329

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

August 7, 2004

Reverend Gerald Fessard
REDACTED

Dear Father Fessard,

REDACTED received your letter of May 29, 2004 and has asked me to respond to you. Please excuse the lateness of this response since the summer months are, as you no doubt are aware, the season for vacation schedules.

I have enclosed a copy of the memorandum from REDACTED dated March 11. I would like to draw your attention to the first paragraph that indicates that the adjustment for salaries is given to diocesan priests *in active service*. The memorandum of May 7 inadvertently omitted these words.

For some time now the Archdiocese has been in a position of managing its financial affairs in an atmosphere of increasingly severe budgetary constraints. The Archdiocese has not offered increases in pension benefits for our retired priests nor has it offered increases for priests who are in other than active status. Consequently, I regret to inform you that the Archdiocese is unable to grant your request.

Thank you for your inquiry. With prayerful best wishes, I am

Sincerely yours in Christ,

Reverend Monsignor Gabriel Gonzales
Assistant Vicar for Clergy

cc: REDACTED
Reverend Monsignor Craig A. Cox, J.C.D.

254490

REDACTED

August 13, 2004

Rev. Msgr. Gabriel Gonzales
Assistant Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

Dear Gabe,

I have received your letter, dated August 7, 2004, in reply to my May 29 request to REDACTED

I am of course aware of the severe budgetary constraints under which the Archdiocese must currently manage its financial affairs and the impact this is having on many individuals and ministries. Your letter indicates that one result of this is the lack of increases in pension benefits for retired priests and priests in other than active status, and you link this situation as cause of the denial of my request.

I trust that, since these groups likewise are negatively impacted by the increase in the cost of living that serves as a rationale for increasing the stipends of active clergy, the Archdiocese will address this matter of justice in a positive way as soon as budgetary considerations permit. I likewise trust that, as a member of the groups that do not share in the currently authorized increases, I will at that time be included in the restoration of equity.

The enclosed letters address another matter about which I have written to you recently.

Fraternally in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard, J.C.L.

Cc: REDACTED
Rev. Msgr. Craig A Cox, J.C.D.

254487

OFFICE OF THE VICAR FOR CLERGY

TO: Father Gerard Fessard's File

FROM: REDACTED

RE: ***Names of High School Seminarian Students***

DATE: November 2, 2004

REDACTED Vocation Director, called our office to give us the information that Monsignor Cox had requested.

The information is as follows:

REDACTED

RCALA 003652

CCI 0007721

11/28/2004
Distributed at
St. Anastasia
Parish

IF YOU HAVE BEEN VICTIMIZED, COME FORWARD AND GET HELP

Who are we? We are clergy sex abuse victims trying to recover from our trauma and protect kids and vulnerable people in the church. And we are concerned Catholics who want to help victims and also safeguard those at risk.

Why are we here? Fr. Thomas King allegedly molested a boy when the boy was around 11 years old at St. Louise de Marillac Parish in Covina. In a civil lawsuit it is alleged that the boy was sent to King for discipline and that King tied the boy's legs together with tape, sodomized and masturbated him. The lawsuit also alleges that Fr. King beat the boy's genitals with a stick and told the alleged victim that it was necessary to beat out the homosexuality of him and save the boy's dying father. The abuse allegedly continued for about three to six months. Fr. King is currently pastor at St. Anastasia Parish in LA.

254533

At least six other priests, who have been criminally convicted or are known or suspected molesters worked or are working at your parish or another parish where King also worked:

1) **Gerald Fessard**, who after being criminally convicted of child molestation in 1987, was assigned with King at St. Luke the Evangelist parish in Temple City.
2) **Ted Llannos**, who worked at St. Louise de Marillac and committed suicide after criminal child molestation charges were filed against him in the 90's.
3) **Joe Aizugaray**, who worked at Immaculate Conception in Monrovia, is accused of sexual abuse in a civil lawsuit and still remains in ministry at a Napa Valley parish.
4) **Michael Harris**, who worked at Immaculate Conception in Monrovia where King also worked. The Orange diocese and LA archdiocese settled a $5.2 million lawsuit with one of his alleged victims. Harris has been laicized (defrocked).
5) **Richard Martini**, who is currently accused of abuse in a civil lawsuit, and still remains in ministry at Transfiguration Parish in LA where Fr. King also worked.
6) **Michael Carroll**, who worked with King at St. Luke the Evangelist, is accused of molesting a girl in a civil lawsuit and is currently working at St. Lorenzo Ruiz Parish in Walnut.

Fr. Thomas King has also worked at St. Bernadette in LA and Our Lady of Lourdes in Tujunga.

What do we want? We want to help prevent abuse and help victims heal by informing parishioners of accused priests to whom they may have been exposed. Somewhere in this parish there is girl being abused by her uncle, teacher, coach or step-father. When this child sees alleged abusive priests being publicly supported by parishioners and church officials allowed them to remain in ministry, it discourages the child from reporting their abuse and the girl will stay trapped in shame and silence thinking no one will believe her.

What should you do? If you or someone you know is a victim of clergy abuse, please know that you are not alone and that help is available. Contact the **LAPD clergy abuse hotline** @ 213-847-5358 and **SNAP**, Survivors Network of those Abused by Priests (A confidential self-help support group of men and women who have been victimized by clergy) @ (626) 835-9066 or www.SNAPnetwork.org.

What can you do to protect kids? **1)** Call Cardinal Mahony @ 213-637-7000 and demand that he remove Fr. King and personally go to every parish where known or suspected abusive priests worked and urge victims and witnesses to contact criminal authorities. **2)** Learn all you can about clergy sexual abuse by inviting survivors to tell their stories at your parish. **3)** Talk with you children about "Safe Touch" TODAY. **4)** Ask you fellow parishioners and ex-parishioners if they or their children were abused. If so, please urge them to contact criminal authorities, not church officials.

FATHER GERALD FESSARD

Date	Description
7/14/46	Born in Little Rock, Arkansas.
5/27/72	Ordained in Los Angeles.
6/12/72	Assigned as Associate Pastor at St. Charles, North Hollywood.
6/16/75	Assigned as Associate Pastor at St. Pius X, Santa Fe Springs.
7/15/77	Assigned as teacher at Santa Clara High School, Oxnard.
7/15/77	Assigned for residence to Santa Clara Parish, Oxnard.
7/9/80	Assigned as teacher at St. Bernard High School, Playa Del Rey.
7/9/80	Assigned in residence to St. Clement, Ocean Park.
6/15/81	Assigned as Associate Superintendent of Elementary Schools.
6/15/81	Assigned for residence at St. Eugene, Los Angeles.
7/9/85	Assigned for residence to St. Paul, Los Angeles.
6/29/86	Assigned for residence to St. Martin of Tours, Brentwood.
2/1/87	Assigned as Dean of Studies at Queen of Angels Seminary, Mission Hills with residence at the seminary.
4/1/87	Effective date for start of Sick Leave.
4/2/87	Two students at seminary report that Fr. Fessard had touched them in genital area while sleeping. Two other students at seminary reported that they went to a cabin with Fr. Fessard and that while telling ghost stories they became frightened and went to bed with him. One reported that Fr. Fessard rubbed his neck and embraced him while in bed. The other reported that Fr. Fessard put his arm around him while in bed.
Mid-April, 1987	Removed from seminary during police investigation until approximately late June.
6/16/87	Meeting of Fr. Fessard, his criminal defense attorney, the Vicar for Clergy, Archdiocese General Counsel and Archdiocese outside counsel regarding potential criminal plea.
6/23/87	Pleads guilty to two counts. Probation is 36 months. Must register with County Sheriff and undergo counseling. Fr. Fessard's attorney advises that his client actually pled nolo contendere and that the plea and conviction were expunged upon completion of probation, that he does not have to register as a sex offender and that his file is sealed from use in any subsequent litigation.
6/24/87	Vicar provides character reference to LA Co. Probation Dept.
July to December, 1987	Residential therapy at the Servants of the Paraclete facility in Jemez Springs, New Mexico.
12/14/87	Assigned to Tribunal at the Chancery, Los Angeles.
1/1/88	Began weekly therapy.
2/1/88	Assigned for residence at St. Timothy's, Los Angeles.
4/26/88	Status report regarding treatment with therapist.

Date	Description
6/5-10/88	Aftercare session at Servants of the Paraclete, Jemez Springs.
8/1/89	Education Leave to study canon law in Rome beginning in Fall.
8/15/91	Assigned to Tribunal at Chancery, Los Angeles. This assignment continued until 2002.
8/22/91	Assigned for residence at St. Luke, Temple City.
8/30/94	Report of boundary violations (patting on buttocks) with teenage group at St. Luke associated with the use of alcohol.
9/1-28/94 approx.	Admitted to Marina Mercy Hospital EXODUS unit to begin 30-day detoxification.
9/26/94	Assigned for residence at St. Gregory Nazianzen, Los Angeles.
10/1/94	Attends AA (Alcoholics Anonymous) meetings five times a week commencing this date.
11/94	Residential evaluation at St. Luke Institute, Maryland.
12/5/94	Therapist's report, St. Luke Institute.
3/1/95	Assigned as Chaplain and for residence to Maryknoll Sisters Convent, Monrovia.
1996	Attends therapy.
10/27/97	Adult male reported that when he was 8 or 9 years old, Fr. Fessard sexually molested him in his bed at home. Fr. Fessard denies this allegation.
2/14/02	Resigns from Tribunal.
2/16/02	Inactive Leave.

PROFFER RE FATHER GERALD FESSARD

Date	Description
7/14/46	Born in Little Rock, Arkansas
5/27/72	Ordained in Los Angeles
6/12/72	Assigned as Associate Pastor at St. Charles, North Hollywood
6/16/75	Assigned as Associate Pastor at St. Pius X, Santa Fe Springs
7/15/77	Assigned as teacher at Santa Clara High School, Oxnard
7/15/77	Assigned for residence to Santa Clara Parish, Oxnard
7/9/80	Assigned as teacher at St. Bernard High School, Playa Del Rey
7/9/80	Assigned in residence to St. Clement, Ocean Park
6/15/81	Assigned as Associate Superintendent of Elementary Schools
6/15/81	Assigned for residence at St. Eugene, Los Angeles
7/9/85	Assigned for residence to St. Paul, Los Angeles
6/29/86	Assigned for residence to St. Martin of Tours, Brentwood
2/1/87	Assigned as Dean of Studies at Queen of Angels Seminary, Mission Hills with residence at the seminary
4/1/87	Effective date for start of Sick Leave
4/2/87	Two students at seminary reported that Father Fessard had touched them in genital area while sleeping. Two other students at seminary reported that they went to a cabin with Father Fessard and that while telling ghost stories they became frightened and went to bed with him. One reported that Father rubbed his neck and embraced him while in bed. The other reported that Father put his arm around him while in bed. The Archdiocese will not contend that it lacked notice of Father Fessard's sexual interest toward minors following this report.
Mid-April, 1987	Removed from seminary during police investigation until approximately late June.
6/16/87	Meeting of Fessard, his criminal defense attorney, the Vicar for Clergy, Archdiocese General Counsel and Archdiocese outside counsel regarding potential criminal plea.
6/18/87	Archdiocese reimburses Fessard for legal and living expenses.
6/23/87	Pled guilty to two counts. Probation is 36 months. Must register with County Sheriff and undergo psychiatric counseling.
6/24/87	Vicar provides character reference to LA Co. Probation Dept.
July to December, 1987	Residential therapy at the Servants of the Paraclete facility in Jemez Springs, New Mexico.
12/14/87	Assigned to Tribunal at the Chancery, Los Angeles
1/1/88	Began weekly therapy with a local psychologist.
2/1/88	Assigned for residence at St. Timothy's, Los Angeles
4/26/88	Status report regarding treatment with local psychologist.
6/5-10/88	Aftercare session at Servants of the Paraclete, Jemez Springs
8/1/89	Education Leave to study canon law in Rome beginning in Fall

Date	Description
8/15/91	Assigned to Tribunal at Chancery, Los Angeles. This assignment continued until 2002
8/22/91	Assigned for residence at St. Luke, Temple City
8/30/94	Report of boundary violations (patting on buttocks) with teenage group at St. Luke's associated with the use of alcohol.
9/1-28/94 approx.	Admitted to Marina Mercy Hospital EXODUS unit to begin 30-day detoxification.
9/26/94	Assigned for residence at St. Gregory Nazianzen, Los Angeles
10/1/94	Attends AA (Alcoholics Anonymous) meetings five times a week commencing this date
11/94	Residential evaluation at St. Luke Institute, Maryland
12/5/94	Psychologist's Report, St. Luke Institute
3/1/95	Assigned as Chaplain and for residence to Maryknoll Sisters Convent, Monrovia
1996	Attends therapy with local psychologist
10/27/97	Adult male (SS) reported that when he was 8 or 9 years old, Father Fessard sexually molested him in his bed at home.
2/14/02	Resigns from Tribunal
2/16/02	Inactive Leave

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

December 13, 2004

Personal and Confidential

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

Please know that you continue to be in my prayers during this very difficult time. It is times like these we know the wisdom of St. Paul when he experienced his powerlessness, but found the grace of God in his weakness (2 Corinthians 12:9-10). So may the grace of Christ fill you and strengthen you in this time of trial.

As you know, we are endeavoring to reach equitable settlements to the many lawsuits filed against the Archdiocese of Los Angeles. As you may not know, as part of the settlement process in southern California, the judge has required that the Archdiocese as well (as other dioceses and religious orders) prepare "proffers" or summaries of the contents of most of the accused priests' clergy and confidential files. The Archdiocese recently completed the process of having the proffers it prepared reviewed and verified by the judge.

Cardinal Mahony is now consulting with his advisors, especially our Presbyteral Council, on the wisdom of making these proffers available for review by our Catholic people. Currently, it is his intent to proceed with making this information available in some form, especially since some victims have indicated that the release of this kind of information can be helpful to their healing process. Release of such information also responds to the call from so many of our Catholic people for greater openness about how complaints of sexual misconduct with minors have been handled. Thus, our sense is that there will be great value in taking the initiative now to release these documents ourselves, allowing us to do so in a constructive context and with appropriate explanation.

The Cardinal has asked that I write to each person for whom we have prepared proffers and to enclose for your review a copy of the proffer related to you. As you can see, for the most part of the proffer includes information on your dates of birth and ordination as well as your assignment history. When applicable, the proffer also includes information on when any kind of sexual misconduct was reported to Archdiocesan authorities. This relates to the critical legal question of "notice." It also sketches the actions taken by officials of the Archdiocese in response to any complaints.

254528

Out of respect for your rights, the Cardinal did not want to release this proffer without first communicating our thinking to you and allowing you to review the proffer. Certainly, if any of the information in our files is erroneous, we would very much appreciate receiving corrected information from you.

Also, if you have any comments or questions, please feel free to phone Mr. Donald Woods, Jr., one of the attorneys most familiar with the proffers, at REDACTED . You are also welcome to phone me at REDACTED .

Again, please know that you are in my prayers, especially during this Advent season of hope. May these wonderful days of the liturgical year be a time of healing and renewal for us all!

Yours in Christ,

Monsignor Gabriel Gonzales
Assistant Vicar for Clergy

enclosure

COPY

REDACTED

Phone:REDACTED

E-Mail: REDACTED

RECEIVED
DEC 2 2 2004
BY:

December 21, 2004

Rev. Msgr. Gabriel Gonzales
Assistant Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

CONFIDENTIAL

Dear Monsignor Gonzales:

I am writing in response to your letter of December 13, 2002 concerning the proffers solicited by the Court in the consolidated lawsuits and their proposed release to the public by Cardinal Mahony.

I wish to express my strong opposition to any publication of the proffer you submitted for my review for the following reasons:

1. Release of the proffer to the public would violate Court Orders issued at the time of the disposition of my criminal case in 1987 and 1990.

2. Release of the proffer to the public would represent violations of both canon law (c. 220) and the privacy laws of the United States and the State of California.

3. The proffer as presented in your letter contains information that in several significant respects is false, inaccurate and/or lacking credibility and thus would be defamatory in nature.

4. Release of the proffer to the public would render the Archdiocese further complicit in damage to my good name, reputation, and livelihood.

5. The "healing process" of any individuals whom I may have hurt or offended is most justly and effectively handled between the parties directly involved, including perhaps a representative of the Archdiocese. Publication of a personnel file summary does nothing to heal, only to humiliate.

6. "How complaints of sexual misconduct with minors have been handled" has already been detailed by the Archdiocese at great length in the report issued and posted on the Internet (and also including erroneous information concerning me) in February of 2004.

Further, it is my belief that any consultation by archdiocesan authorities of entities such as the Council of Priests that would involve disclosure of information such as is contained in the proffer would damage my reputation among the presbyterate of the Archdiocese and constitute an additional violation of canon law.

Further, it is my understanding that the release of the proffers summarizing priest personnel files to the public is currently being contested in the Superior Court of the County of Los Angeles.

Finally, please be on notice that any publication of the proffer enclosed in your letter in any public forum or media will be deemed a violation of my personal and civil rights and will require me to seek legal remedies against the Archdiocese of Los Angeles for defamation and possibly other violations of law.

Sincerely yours,

Rev. Gerald B. Fessard, J.C.L.

Cc: Rev. Msgr. Craig A Cox, J.C.D.
REDACTED Esq.
REDACTED Esq.

REDACTED

February 28, 2005

Rev, Msgr. Craig A. Cox
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

Please note the above change in my residence and mailing address and phone number for your database. I am pursuing some new employment opportunities, which have required me to move from Laguna Hills.

Also, as a result of a proposed significant increase in the health care plan I had been under, I was able to find alternative coverage, still under Kaiser Permanente, for a lesser monthly premium. As the enclosed invoice states, my future monthly premium, effective March 1, will be [redacted], which is [redacted] than what I have been paying.

I appreciate the reimbursements that the Archdiocese has continued to offer for my health care, and in light of my continued limited financial resources, I would be grateful if this new amount could be provided. Also, since the monthly premium is deducted from my account on or about the 20th of each month, in order to cover this and allow your check to clear, I would be grateful if I could receive it no later than the 10th of each month.

I trust you will advise REDACTED of these changes. Thank you again for your friendship and support. You remain in my prayers, and thank you for yours.

In Christ,

Gary

Rev. Gerald B. Fessard

RECEIVED
MAR 2 - 2005
BY:

253320

RECEIVED
NOV 2 0 2006
BY:

MEMORANDUM

TO: MONSIGNOR GABRIEL GONZALES
FROM: REDACTED
SUBJECT: FESSARD CASE UPDATE
DATE: NOVEMBER 16, 2006

Hey Gabe!

This is a quick follow-up to my memo of Nov. 13 last. Since I am eager to avoid further delays in this case, I have sent a letter to Gary today informing him of our intention to submit his case to CDF for a definitive resolution (i.e. seeking his *ex officio* dismissal). I have attached to the present memo a copy of that letter for your records.

I still need to speak with you about the current support Gary is receiving from us and what our intentions are in this regard once his case is resolved — this information will need to be included in the material we will send to Rome. I will not be in the office tomorrow (Fri., Nov. 17), but I do plan on being in on Sat. and I will be here next week up to Thanksgiving. So let me know when it might be convenient to discuss these matters with you.

Thanks, and talk to you later!

Archdiocese of Los Angeles

Office of the
Vicar for Canonical Services
Phone: (213) 637-7888
Fax: (213) 637-6888

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

16 November 2006

Reverend Gerald B. Fessard
REDACTED

Dear Gary,

Upon my return from Rome, I was appointed Promoter of Justice for the Archdiocese of Los Angeles and it is in that official capacity that I now contact you, to let you know that your case is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution.

In this regard, it is my unpleasant duty to inform you that due to the great scandal and harm that your actions have brought upon the Church, Cardinal Mahony does not believe that anything short of your dismissal from the clerical state will adequately redress the harm done, repair the scandal given or properly restore justice. In the *votum* that he will present to the Congregation, therefore, he plans on recommending that Pope Benedict XVI dismiss you *ex officio* from the clerical state. Of course, should you decide to request laicization from our Holy Father, the Cardinal will support your request in his *votum*.

I write now to invite you to send me any statement that you may wish to make regarding your case so that it can be included with the material that will be sent to the Congregation. If you would like to provide such a statement, please see that it is delivered to me ***no later than Monday, 4 December 2006***. And should you have any questions or concerns regarding this matter, please feel free to contact me at REDACTED; I will be happy to speak with you and to offer whatever assistance I can.

Gary, know of my prayers for you as we seek to bring this difficult situation to a proper close.

Sincerely yours in Christ,
REDACTED

Msgr. REDACTED, JCD
Promoter of Justice

cc: Msgr. Gabriel Gonzales

187460

COPY

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard

Los Angeles
California
90010-2202

Phone: (213) 637-7888
Fax: (213) 637-6888

PERSONAL AND CONFIDENTIAL

21 November 2006

Reverend Gerald B. Fessard
REDACTED

Dear Gary,

Last week I sent you a letter at a REDACTED address that I had on file for you, but it has now been brought to my attention that the REDACTED address is no longer current for you. I have therefore attached to the present letter a copy of the previous correspondence, and I apologize for the oversight in using an outdated address.

The content of the letter is self-explanatory, so I shall not repeat it here. But I would ask you to take a moment and read the attached letter now before continuing with what I am writing here.

* * * * *

Hoping that you have taken a moment to read the attached correspondence, I continue.

Since the information conveyed in the previous letter has probably been received by you later than anticipated — because of the error in the mailing address — I am pleased to extend the deadline for you to respond to me. Accordingly, if you would like a statement to be included in the material to be sent to the Congregation for the Doctrine of the Faith regarding your case, please see that it is delivered to me ***no later than Monday, 11 December 2006.***

And, Gary, I would like to repeat that I am happy to speak with you regarding this matter if you should have any questions or concerns. Thanking you for your understanding and assuring you once more of my prayers, I remain

Sincerely yours in Christ,
REDACTED

REDACTED

253305

MEMORANDUM

TO: MONSIGNOR GABRIEL GONZALES
FROM: REDACTED
SUBJECT: COPY OF LETTER FOR FESSARD FILE
DATE: NOVEMBER 21, 2006

Hey Gabe!

REDACTED called me earlier to advise me that my letter of Nov. 16 last to Gary Fessard was sent to an old address. She gave me his current address and so I sent a new letter to him with a copy of the previous letter attached.

A copy of my new letter to him, sent to the address given me by REDACTED is attached for inclusion in Gary's file.

Also, I still need to talk to you sometime soon about the Fessard case, specifically with regard to (1) he support he is currently receiving from us and (2) the support we expect to provide him in the future, especially if he is dismissed from the clerical state.

Thanks, and I hope to talk to you about this soon!

253304

Gonzales, Msgr. Gabriel
From: Gonzales, Msgr. Gabriel
Sent: Saturday, November 25, 2006 11:58 AM
To: REDACTED
Cc:

Thanks, REDACTED for your messages regarding Gary.

REDACTED can give you the full details of our support structures for Gary, if that is OK with you so that we can get this thing rolling. I do not see us in the near future, at least, ending these for Gary.

Thanks,
Gabe

REDACTED

COPY

REDACTED

REDACTED

November 29, 2006

REDACTED
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

CONFIDENTIAL

Dear REDACTED

I received your November 16 letter, with November 21 cover, last Wednesday, the day before Thanksgiving. I appreciate your offer to extend the time for my reply in view of the incorrect address to which the letter was originally sent.

I have received the news that Cardinal Mahony intends to seek from the Holy Father my dismissal *ex officio* from the clerical state with great surprise, shock and disappointment. I have always been convinced that my vocation to the ordained priesthood was a genuine call from God, confirmed by the Church after many years of testing and evaluation in seminary formation. Despite my failings and shortcomings, and despite my removal from public priestly ministry in 2002, it has been my hope to remain a priest for the rest of my life. That hope remains to this day. Thus my sadness and disappointment at the news contained in your letter, especially in that I have thus far cooperated fully with what I have been asked to do as part of repentance and recovery.

Before I can make a complete response, I must seek some further clarification of the options you outlined in your letter. Specifically, if I should choose to oppose the Cardinal's petition to the Congregation for the Doctrine of the Faith, and if his petition should be granted,, resulting in my dismissal from the clerical state, would I continue to receive the essential financial assistance that I am currently receiving from the Archdiocese? If, on the other hand, I were to request laicization voluntarily, would I continue to receive this essential financial support?

I would appreciate your prompt response to these questions, so that I may proceed with my response.

Fraternally in Christ,

Reverend Gerald B. Fessard, M.A., J.C.L.

P.S. I wish to inform you that I have engaged REDACTED as my canonical advisor. A copy of my signed Mandate is enclosed herewith.

Cc: Msgr. Gabriel Gonzales

RECEIVED
NOV 3 0 2006
BY:

253302

MEMORANDUM
OFFICE OF THE VICAR FOR CLERGY

TO: REDACTED ACTED ✓

REDACTED

FROM:

RE: *Father Gerard Fessard*

DATE: December 5, 2006

In line with your request, I have gathered the following information regarding the benefits that Father Gerard Fessard is currently receiving from the Archdiocese:

Base Salary	$ [redacted]
Living Expenses	$ [redacted]
Ordination Increment	$ [redacted]
SS Reimbursement	$ [redacted]
In lieu of stipends	$ [redacted]
Total	$ [redacted]

He is not participating in the Priests' Pension. However, he is vested in the program, and he will be able to draw on the monthly pension benefit beginning at age sixty-five. The Payroll Department is deducting $100 from his paycheck towards his 403b pension fund, and $[redacted] is being deposited into his savings account.

The Archdiocese also reimburses him for his monthly health insurance premiums with Kaiser Permanente Individual Health Insurance Plan. He receives a check for [redacted] which includes a $[redacted] invoice fee per billing location.

Per our telephone conversation, enclosed please find copies of correspondence regarding his benefits.

Please let me know if I can be of further assistance to you.

Thank you.

253299

REDACTED **J.C.D., J.D.**
REDACTED

December 11, 2006

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear Monsignor Gonzales:

Thank you for your letter of December 8, 2006 and the three page chronology of events and the relevant information contained in both.

There is a significant error on page two under the heading *Civil Proceedings Against the Cleric.* The resolution of the 1987 case states that Father Fessard was "ordered to register as a sex offender". Father Fessard tells me that this is not true. When this assertion was first put out in writing by the Archdiocese, in 2002 I believe, Father Fessard had his civil attorney, REDACTED contact the Archdiocesan civil attorney, REDACTED , to correct this harmful error. I am told that the assertion was removed in one document but apparently not in every document in which it was stated, e.g. the one that you sent me. Because spreading this erroneous and defamatory statement could adversely affect where Father Fessard may live as well as generally causing him harm, I ask that the Archdiocese kindly see to it that the statement is removed from every document and record in which it may appear and that those to whom any such document may have been given be advised that it is not true and to delete. Please advise me when this has been done.

To advise Father Fessard properly regarding the Cardinal's invitation for him to request voluntary laicization, it would be helpful to know the following:

1. at what age his vested pension can begin to be collected and in what amount? Is the amount adjusted to cost of living increases?

2. Will his health insurance premiums continue to be paid, as well as any increases in those premiums.

3. Will he continue to receive necessary financial support?

Father Fessard is 60 yeas old. This fact could well affect the kind of job he may be able to obtain and the realistic amount he could earn in his pre-retirement years, presuming that he remains healthy. He currently has a part time job managing a mobile home park and lives in a trailor at the park.

Although I appreciate Monsignor Zak's assurance that the Archdiocese would not allow Father Fessard to be without necessary financial aid, Canon 1350 (2) seems to limit that legal obligation to one who has been dismissed from the clerical state by the imposition of a penalty. Such would be the case were Father Fessard *ex officio* dismissed from the clerical state, but not if he voluntarily requested laicization. Could he be given an assurance that the legal obligation of canon 1350(2) would obtain in consideration of his voluntarily requesting laicization?

Monsignor Zak has given until next Monday, December 18, 2006 for Father Fessard to decide whether to seek voluntary laicization. Perhaps we could have a few more days if necessary to discuss these matters. I will be available by phone except on Friday, December 15. (REDACTED).

Thank you again for your attention and solicitude,

Sincerely and respectfully,

REDACTED

REDACTED , J.C.D., J.D.
Advocate for Father Gerald B. Fessard

cc: Monsignor REDACTED , J.C.D.
Father Gerald B. Fessard

187462

REDACTED

December 16, 2006

His Holiness
Pope Benedict XVI
Apostolic Palace
Vatican City State, Europe

Your Holiness,

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

187454

REDACTED

COPY

December 16, 2006

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed you will find copy of my letter to the Holy Father presenting my petition seeking dispensation from the obligations of the clerical state. The letter I received from REDACTED REDACTED , dated November 16th, stated that you will support in your *votum* my voluntary request for laicization.

This voluntary petition will eliminate any need for you to request my *ex officio* dismissal from the clerical state in your *votum.*

Asking a remembrance in your prayers and assuring you of mine in this holy season, I am

Yours sincerely in Christ,

Rev. Gerald B. Fessard

Cc: Msgr. REDACTED
Msgr. Gabriel Gonzales

187455

1989-1991	Educational leave, studies for JCL at Pontifical University of St. Thomas Aquinas in Rome		
1991-1996	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal, Judge
1991-1994	St. Luke the Evangelist	Temple City, California	Residence
1994-1995	St. Gregory Nazianzen	Los Angeles, California	Residence
1995-2002	Maryknoll Convent	Monrovia, California	Chaplain and Residence
1996-2002	Archdiocesan Chancery	Los Angeles, California	Adjutant Judicial Vicar
2002	Inactive Leave		

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Acts Alleged	Denunciation
1987	REDACTED	16	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987		15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987		15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987		17	Touching genital area while sleeping in seminary dormitory	1987
1987		16	Touching genital area while sleeping in seminary dormitory	1987
1972		10	Entered the bedroom of the minor, pulled the covers off the bed, fondled genitals, pulled on the young man's penis and masturbated him	1997
1976 - 1977		11	Inappropriate touching, masturbating himself while fondling genitals of victim, kissing	2004 (lawsuit)
1979		15	Fondling the genitals of the victim and masturbating him, rubbing and massaging his body, getting into bed with him	2004 (lawsuit)

CIVIL PROCEEDINGS INVOLVING THE CLERIC

Year	Description	Resolution
1987	Criminal case for soliciting lewd acts and battery	Pled "no contest" (*nolo contendere*); sentenced to 36 months probation
2003	Criminal investigation and Grand Jury Subpoena	Dismissed because of the expiration of the criminal statute of limitations
2004	Civil lawsuit for damages (BC307230)	Pending

RCALA 003674

CCI 000747

254532

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Fr Gossard

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FROM: (PLEASE PRINT) PHONE REDACTED

Msgr. Craig A. Cox, J.C.D.
Vicar for Clergy
Archdiocesan Catholic Center
3424 Wilshire Blvd.
Los Angeles, CA 90010-2241

TO: REDACTED

Civil Law Services
Diocese of Pittsburgh

REDACTED

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.gov EMS

Label 11-B July 1997

RECEIVED
DEC 1 8 2006
BY:

REDACTED

COPY

REDACTED

December 16, 2006

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed you will find copy of my letter to the Holy Father presenting my petition seeking dispensation from the obligations of the clerical state. The letter I received from REDACTED, dated November 16th, stated that you will support in your *votum* my voluntary request for laicization.

This voluntary petition will eliminate any need for you to request my *ex officio* dismissal from the clerical state in your *votum*.

Asking a remembrance in your prayers and assuring you of mine in this holy season, I am

Yours sincerely in Christ,

Rev. Gerald B. Fessard

Cc: MsgrREDACTED
Msgr. Gabriel Gonzales

253297

REDACTED

RECEIVED
FEB 14 2007
BY: 22231

Dw # 630 V C
Voucher # 160238

February 12. 2007

STATEMENT OF ACCOUNT

01112-530002

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Canonical services for Reverend Gerald B. Fessard

Date(2006-2007)	Activity	Hours	Minutes
Nov. 26 :	REDACTED		55
Nov. 27 :			40
Dec. 4 :		1	35
Dec. 11 :		1	55
Dec. 16-19 :			55
Feb. 2, 2007 :			30
		5hrs	30min.

6 hours 30 minutes at $150/hr..... [redacted]

Balance ..... $[redacted]

Approved
Gloria Duffy
2/14/2007

253296

Check Date: 27.Feb.2007 ACCLA

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
630 VC	12.Feb.2007	00160238	982.50	0.00	[redacted]

Gessard

Vendor Number	Name		Total Discounts	
0000022231	REDACTED	J.C.D., J.D.	$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
	27.Feb.2007	$982.50	$0.00	[redacted]

DO NOT CASH IF THIS DOCUMENT DOES NOT HAVE A LARGE PAINT IMAGE OF THE "SECURE DOCUMENT" LOGO OVER A FADING PATTERN OF THE WORDS "SECURE DOCUMENT"

207537

The Roman Catholic Archbishop of Los Angeles
(A Corporation Sole)
3424 Wilshire Blvd.
Los Angeles, California 90010-2241
(213) 637-7691

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Greenville, South Carolina
In Cooperation with & Payable If Desired at
Wells Fargo Bank, N.A.
4759-613201 67-1 / 532

Date February 27, 2007

Pay Amount $ [redacted]*

Pay ***[redacted]AND 50 / 100 US DOLLAR****

To The Order Of

REDACTED

VOID AFTER 90 DAYS

5

THE REVERSE SIDE (

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

March 5, 2007

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard,

Monsignor Gabriel Gonzales is temporarily away from the office, but he has asked me to send you this letter in his absence.

Your correspondence of February 2, 2007 was received, and I wish to assure you that there is no archdiocesan data base on which it is recorded that you were ordered to register as a sex offender.. The draft of the Case Data grid that was sent to both you and REDACTED was not a copy of the proffer that had previously been prepared, corrected, and subsequently made available to plaintiffs' attorneys and also on the archdiocesan website (copy of proffer attached), nor was it created from any archdiocesan data base. Rather, this grid was an independent summary prepared solely for the report of your case to the Congregation for the Doctrine of the Faith (CDF) in Rome, and was based on information found in records on file with the Archdiocese. The statement on the initial draft of this grid reporting that you had been ordered to register as a sex offender was drawn from the Probation and Sentencing Memorandum of the Municipal Court for case no. 87M14440, People of the State of California vs. Gerald Buckley Fessard, heard before REDACTEDREDACTED, dated June 23, 1987, which lists as one of the conditions ordered by the Court "Δ [Defendant] to register pursuant to §290." Section 290 of the California Penal Code sets forth the requirements for those who must register with state authorities for various sex crimes (copy of the memorandum of the court order attached).

In accordance with the request made by REDACTED in a letter dated December 11, 2006, and following a phone call on December 16 between REDACTED and the archdiocesan Promoter of Justice, REDACTED , the reference to the order to register as a sex offender was removed from the draft of the Case Data grid. Accordingly, the relevant section on the final version of the grid sent to CDF was left to read, under the heading "Civil Proceedings Involving the Cleric," as follows: "[year] 1987: [description] Criminal case for soliciting lewd acts and battery: [resolution] Pled 'no contest' (*nolo contendere*); sentenced to 36 months probation" (copy of relevant page of Case Summary grid attached).

Since the reference to any order to register as a sex offender was placed only on the draft of the Case Data grid that was sent to you and Mr. Renati, and since that reference was subsequently removed so that it did not appear on the final version of the grid sent to CDF, said reference ex-

253293

ists in no archdiocesan data base and the Archdiocese has made no statement to any third party that you were required to register as a sex offender.

I trust that the above explanation and attached documentation serve to clarify the situation for you and to ease your concerns in this regard.

Monsignor Gonzales also asked me to take this opportunity to make certain that there is no misunderstanding regarding a further matter: the payment of fees that REDACTED may charge for services rendered following your petition for laicization. This issue is raised since REDACTED most recent bill, already paid in full by this office, included a charge for consultation with you on February 2, 2007.

Your petition to Pope Benedict XVI seeking laicization and Cardinal Mahony's *votum* supporting this request were sent to Rome at the end of last year. Now that the case is in the hands of the competent ecclesial authorities in Rome, this office has concluded all activity connected with it. Accordingly, there is no longer any authorization for bills regarding your case to be sent to this office for payment. REDACTED has been advised of this by letter and he has been instructed to bill you directly for any future services you may engage from him.

If a need for canonical counsel should arise in the future and you are unable to afford the fees charged by a canonist whom you hire, please feel free to consult this office so that arrangements may be made to assist you in receiving the counsel suited to your needs.

I thank you for your kind attention to this matter and assure you of my prayers.

Sincerely yours in Christ,

Michael Meyers

Monsignor Michael Meyers
Assistant Vicar for Clergy

(Enclosures: 3)

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

March 5, 2007

REDACTED

RE: Father Gerald B. Fessard

DearREDACTED

Monsignor Gabriel Gonzales is temporarily away from the office, but he has asked me to send you this letter in his absence. The information that follows has also been sent to Father Fessard on this same date.

Father Fessard's petition to Pope Benedict XVI seeking laicization and Cardinal Mahony's *votum* supporting this request were sent to Rome at the end of last year. Now that the case is in the hands of the competent ecclesial authorities in Rome, this office has concluded all activity connected with it. Accordingly, there is no longer any authorization for bills regarding this case to be sent to this office for payment.

Since your most recent bill — dated February 12, 2007 and paid in full by this office — included a charge for consultation with Father Fessard on February 2, please note that any further charges levied for services rendered to Father Fessard should be billed to him directly and not to this office.

Also, Father Fessard has been advised that if a need for canonical counsel should arise in the future and he is unable to afford the fees charged, he may consult this office to make arrangements to receive the counsel suited to his needs.

I thank you for your kind attention to this matter.

Sincerely yours in Christ,

REDACTED

Assistant Vicar for Clergy

253292

REDACTED

From: REDACTED

Sent: Wednesday, June 27, 2007 3:48 PM

To: REDACTED

Subject: I received a call this afternoon from aREDACTED

He wanted to speak with Fr. Gary Fessard. He said that he was an alter boy at St. Pius X and that his mother was dying. I passed the call along to Fr. Fessard who said that he did not remember this person. I am e-mailing this as a follow-up. REDACTED did not sound "mature" and was insistent in his inquiry. We may be hearing from him again.

(*unofficial translation*)

CONGREGATION FOR THE DOCTRINE OF THE FAITH

Prot. No. 223/02

Archdiocese of Los Angeles in California
(Los Angeles, USA)

Mr. **Gerald B. FESSARD**, a priest of this Archdiocese, has humbly requested a dispensation from all obligations connected with Sacred Orders.

The Supreme Pontiff Pope Benedict XVI,

on the 12th day of November in the year 2007,

having considered the report on this Case from the Congregation for the Doctrine of the Faith, granted the request of the aforesaid priest according to the following indications:

1. The petitioner is to be notified as soon as possible of this Rescript of Dispensation by a competent Ordinary:

a) The Rescript takes effect at the moment of notification;
b) Inseparably contained in the Rescript is the dispensation from sacred celibacy and at the same time dismissal from the clerical state. It is never licit for the petitioner to separate these two elements, that is, to accept the one and to refuse the other;
c) If the petitioner is a religious, the Rescript also grants a dispensation from vows;
d) Moreover, the Rescript also includes the absolution from censures, insofar as this may be necessary.

2. Notification of the dispensation may be made either personally by the Ordinary or his delegate, or through an ecclesiastical registrar or by registered mail. The Ordinary must return one copy properly signed by the petitioner in attestation of having received the Rescript of dispensation and having accepted its precepts.

3. Notice of the granting of the dispensation is to be recorded in the baptismal registry of the petitioner's parish.

4. With regard to the celebration of a canonical marriage, if such should come to pass, the norms established in the Code of Canon Law are to be observed. However, the Ordinary is to see to it that the celebration takes place with due precaution and without outward ostentation.

5. The ecclesiastical authority whose responsibility it is to notify the petitioner of this Rescript is to exhort him earnestly to participate in the life of the People of God in a manner that is in keeping with his new state of life, to be an edifying example and, in this way, to show himself to be an upright son of the Church. At the same time, however, those things that follow are to be made known to him.

253288

a) *The dispensed priest, by the very fact of his dispensation, loses the rights proper to the clerical state and he loses as well all ecclesiastical dignities and offices; nor is he bound any longer by the other obligations connected with the clerical state;*
b) *he remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986 §2 of the Code of Canon Law, wherefore he may not give a homily, nor is he permitted to take on a directorial role in any administrative office dealing with pastoral matters or to perform the duties of parish administrator;*
c) *likewise he may not perform any functions in Seminaries or equivalent Institutions; in other Institutions of higher studies that depend in any way upon ecclesiastical authority he may not discharge any administrative function;*
d) *in Institutions of higher studies that do not depend upon ecclesiastical authority he may not teach any theological discipline;*
e) *in Institutions of elementary or secondary studies that depend upon ecclesiastical authority he may not discharge any administrative function or teaching office; in the same type of Institutions that do not depend upon ecclesiastical authority the dismissed and dispensed priest is bound by the same prescriptions against teaching religion.*

6. Insofar as possible, the Ordinary shall see to it that the new condition of the dispensed priest is not a source of scandal for the faithful. Nonetheless, if there is any danger of the abuse of minors, the Ordinary may make known the fact of this dispensation as well as the canonical reasons for it.

7. In a timely manner, the competent Ordinary shall make a brief report to the Congregation concerning the notification that has been made, and should there be any astonishment on the part of the faithful, he shall provide them with a careful explanation.

Anything whatsoever to the contrary notwithstanding.

From the Offices of the Congregation, on the 12th day of November in the year 2007

(signature)
Cardinal William LEVADA
Prefect

(signature)
Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

Date of notification: _____

_____ Signature of priest in attestation of acceptance

_____ Signature of Ordinary

253289

CONGREGATIO PRO DOCTRINA FIDEI

Prot. N. 223/02

Angelorum in California
(Los Angeles, U.S.A.)

D.nus **Gerald B. FESSARD,** presbyter huius archidioecesis, humiliter petit dispensationem ab omnibus oneribus sacrae Ordinationi conexis

---

Summus Pontifex Benedictus, Papa XVI

Die 12 m. Novembris a. 2007

habita relatione de casu a Congregatione pro Doctrina Fidei, precibus praedicti sacerdotis annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum a competenti Ordinario oratori quamprimum notificandum est:

a) Eius effectum sortitur a momento notificationis;
b) Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Nunquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;
c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;
d) Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis fieri potest vel personaliter ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas praescriptas" (*registered*). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

3. Notitia concessae dispensationis adnotetur in Libris baptizatorum paroeciae oratoris.

4. Quod attinet, si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriore apparatu.

5. Auctoritas ecclesiastica, cui spectat Rescriptum oratori rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

253286

a) Sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;
b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neve munere administratoris paroecialis fungi;
c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo fungi nequit;
d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;
e) *in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradendo Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.*

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dispensati fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dispensationis necnon causam canonicam divulgare.

7. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 12 m. Novembris a. 2007

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretris

Dies notificationis XIX Decembris MMVII

Subsignatio Presbyteri in signum acceptionis

Subsignatio Ordinarii

253287

Gary Fessard

Meyers, Msgr Michael

From: Gonzales, Msgr. Gabriel
Sent: Monday, December 10, 2007 5:37 PM
To: REDACTED
Cc: Meyers, Msgr Michael
Subject: RE: Fessard laicization

REDACTED

Thanks for the heads up!

Gabe

From: REDACTED
Sent: Mon 12/10/2007 4:18 PM
To: Gonzales, Msgr. Gabriel
Subject: Fessard laicization

Hey Gabe!

Just a quick note to let you know that I received from the Card.'s office last week the rescript granting Gary Fessard's laicization. I plan on contacting Gary by phone to communicate this to him and to make arrangements with him to take care of the formalities that need to be done, including getting the rescript signed and returned to Rome.

Since one of Gary's principal concerns in making this petition was whether he would still be getting support from the diocese, he was assured that although the requirements of canon 1350 §2 do not technically apply in his case, the diocese will nonetheless do all that it can to ensure that he does not lack anything truly required for his decent support. I imagine that at some point Gary may want to meet with someone about the support he will continue to receive from the diocese, and I wanted to give you a "heads up" on this.

I plan on trying to get in touch with Gary this week to let him know that the rescript has been granted and to make the arrangements for signatures and such. Once I have contacted Gary I will let you know, since his laicization will take effect from that moment. If you have any questions or concerns about this, please let me know.

REDACTED

Pension 29.83 yrs of service
birthdate REDACTED
Pension date 7-14-2016

253290

12/12/2007

Archdiocese of Los Angeles

Office of the Vicar for Canonical Services
Phone: (213) 637-7201
Fax: (213) 637-6201
E-mail: vcs@la-archdiocese.org

3424 Wilshire Boulevard

Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

14 December 2007

Gary B. Fessard
REDACTED

Dear Gary,

As a follow-up to our telephone conversation of 12 December 2007, I am sending you enclosed herewith the two original copies of the rescript granting your petition of laicization as well as a notarized authentic copy of the document. Also, although I suspect it is not necessary in your case, I am including an unofficial English translation of the rescript.

I would ask you kindly to sign both original copies of the rescript in the appropriate place and to date them as well in the space provided (please spell out the name of the month rather than using a number). After they are signed and dated, the two original copies should be sent back to me in the stamped pre-addressed envelope included; the signature the Ordinary will be added once the documents are returned. You should retain for yourself the notarized authentic photocopy of the document as well as the English translation.

Again, as was mentioned on the phone, the Vicar for Clergy has been informed of the granting of the dispensation, and there have been no changes in the support you are currently receiving from the diocese. Should changes be necessary in the future, I am sure that the Vicar will make contact with you to discuss this with you beforehand. In any event, as was communicated both to you and to the Holy See when your petition was forwarded with the Cardinal's *votum*, although you were not dismissed from the clerical state as a penalty, in your case the diocese will observe the norm contained in canon 1350 §2.

Finally, in the name of Cardinal Mahony I earnestly exhort you to participate in the life of the Church in a manner that is in keeping with your new state, and I would also draw your particular attention to those items listed in no. 5 a-e of the rescript.

Once more, Gary, should you have any questions or concerns, please feel free to contact me at REDACTED I will be happy to offer whatever assistance I can.

With prayerful good wishes during this Advent season, I am

Sincerely yours in Christ our Savior,

REDACTED EDACTED

JCD
Promoter of Justice

253285

RECEIVED
JAN 7 2008
BY:

MEMORANDUM

TO: MONSIGNOR GABRIEL GONZALES,
VICAR FOR CLERGY

FROM: REDACTED

SUBJECT: GARY FESSARD'S LAICIZATION

DATE: 4 JANUARY 2008

Hey Gabe!

Just a quick note to let you know that I contacted Gary Fessard on 12 Dec informing him that his petition for laicization had been granted. I sent the original copies of the rescript to him for his signature and for him to return to me, which he has done, and I also included a cover letter with a photocopy of the rescript for him to keep as well as an English translation (copies of these are attached to this memo).

I send you these copies so that they may be placed in Gary's file, and also to direct your attention to the third paragraph of the cover letter, as this may be of particular interest to you. (The norm of canon 1350 §2 referred to in that paragraph is the following: the Ordinary, in the best manner possible, is to take care to provide for a person dismissed from the clerical state who is truly in need.)

Should you have any questions or comments, please feel free to contact me.

253284

COPY

17024 S. Western Avenue, #44
Gardena, CA 90247-5245

Phone: 310-527-2645 E-Mail: gfessard@dslextreme.com

CONFIDENTIAL

January 7, 2008

Rev. Msgr. Steven B. Zak, J.C.D.
Office of Canonical Services – Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Steve:

I trust that by now you have received the two authentic copies, with my signatures as requested, of the rescript recently sent by the Congregation for the Doctrine of the Faith in response to my petition.

I am writing to call to your attention what would appear to be an inaccurate rendering, in the "unofficial English translation" of the rescript which you provided with your 14 December letter, of a point contained in the first part of the rescript of dispensation.

> **Paragraph 1b)** of the rescript states: "Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul *amissionem status clericalis*."
>
> The "unofficial English translation" translates "*amissionem status clericalis*" as "dismissal from the clerical state." The Latin dictionary *Babylon.com* and other online Latin dictionaries which I consulted (alas, my dictionaries are packed away) translate *amissio* as "loss" and its verb form *amittere* as "to lose." This term "loss" is the term used in both the CLSA English translation and the *Code of Canon Law Annotated* published jointly by the Canon Law Faculties of the Universities of Navarra and St. Paul (Ottawa) of the heading of Book II, Title III, Caput IV of the *Codex Iuris Canonici*, which is entitled, *"De amissione status clericalis."*
>
> Similarly, Canon 290 under the above title reads: *"Clericus tamen statum clericalem amittit . . ."* and is translated by each English translation referred to above as: "A cleric, however, loses the clerical state . . . "
>
> In contrast, for the penalty of dismissal from the clerical state, the same canon in 2° uses the specific term *"dimissio"* rather than *"amissio."* The granting of a rescript of dispensation in response to the petition of a cleric, as outlined in 3° of Canon 290, is thus clearly governed by the term *"amissio"* ("loss") rather than the

term *"dimissio"* ("dismissal"), which would be the object of a judicial decision or an administrative decree, rather than a rescript.

I bring this to your attention not as an intellectual or linguistic exercise, as I know we both have more interesting things to do, but rather to clarify the nature of the rescript as a response to my petition, granting the dispensation from celibacy which brings with it the "loss of the clerical state," rather than the imposition of the penalty of "dismissal from the clerical state," as you will recall underscoring in your cover letter to me of 14 December 2007.

It would seem that your "unofficial translation" could well be emended for the benefit of petitioners to reflect this distinction in similar future cases, should there be any. More important for me, however, is that any writing or speaking by others on this subject, which might be based on your translation of the rescript, would accurately reflect the actual sense of the Latin original, in keeping with the law of the Church. Thus, I may be satisfied that, at least in this respect, whatever may be left of my good name may be preserved, in keeping with the prescriptions of Canon 220.

Thank you very kindly for your attention to this matter.

Fraternally in Christ,

Gerald B. Fessard, M.A., J.C.L.

Cc: Cardinal Roger Mahony
Msgr. Gabriel Gonzales ✓
[redacted]

REDACTED
REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard
Los Angeles California 90010-2202

May 7, 2008

Confidential

Mr. Gerald B. Fessard
REDACTED

Dear Mr. Fessard:

Your March 26 letter to Msgr. Gonzales was referred to me as a confidential matter, for response.

Counsel has advised us that, for purposes of Social Security and Medicare taxation, the appropriate treatment of payments made after termination of services is determined by reference to the status of the individual as of the time the services were rendered, regardless of subsequent events. Inasmuch as you were a priest at the time the services giving rise to your stipend were rendered, the stipend continues to be governed by the rules relating to compensation paid to priests. Thus the stipend is subject to SECA, under which you alone are responsible for Social Security and Medicare taxes, and not to FICA which covers lay employees.

Very truly yours,
REDACTED

REDACTED
REDACTED

c: REDACTED
REDACTED

250275

RECEIVED
MAY 8 2008
BY:

Quality of Mercy - America 8-08

The Quality of Mercy

Amid the relative quiet of August, an America lead-article on forgiving abusive priests as a

necessary "key to healing" touched a sizable nerve....

On a frigid night last January, REDACTEDREDACTED, a successful businessman and president

of Opus Bono Sacerdotii, spoke at a parish on Long Island in New York. Opus Bono's mission

is to provide help for priests who have been expelled from ministry because of accusations

of sexual abuse. In the audience were priests, abuse victims and members of Voice of the

Faithful. Although the opening prayer called for healing and reconciliation, the tension in

the room militated against both.

In his talk, REDACTED argued that a large number of accused priests are innocent and that,

abandoned by bishops and laity, they are denied the resources to clear their names. He spoke

also of the need to give culpable priests opportunities to reform and return to active

ministry. And he said that many victims who claim abuse are merely seeking financial gain,

and argued against the suspension of statutes of limitation in cases of sexual molestation.

Although every one of REDACTED points had some validity, his failure to nuance them

incited the audience. One after another, individuals came to the microphone to voice

criticism of REDACTED insensitivity. What began as a good-faith attempt to bring together

people concerned about both victims and accused priests concluded by exposing what one

person in attendance termed "the still open wound on the soul of the church." The discussion

reached its nadir when one woman declared, "For such men no healing is possible."

What does such a statement imply about the power of Christ's redemptive love? Has the

church, from top to bottom, determined that those who have sexually abused minors are

outside of the circle of those whom God can forgive? Is there no grace left for them?

Sexual abuse of minors is widespread; in addition to abuse by priests, many more have

been abused by relatives and family friends. What healing can compassionate believers bring

to the wounded?

Forgiveness, a key to healing, can be hard. Few betrayed and battered men and women can

extend an easy absolution. Many find religious language offensive. For those whose anger and

pain are still too overwhelming to consider forgiveness, a giant step might be, in the words

of a therapist, to pray for the grace to want to forgive....

One hesitates to approach the suffering created by sexual molestation, especially by

clergymen, as one hesitates upon entering a surgical ward. We dare not touch the pain. We

choose, instead, to leave it to the professionals. Unfortunately, the professionals may not

always provide wise counsel. Consider therapists who advise against broaching the topic of

forgiveness for fear of increasing the victim's rage and impeding recovery, or attorneys who

forbid contact with the victim because they do not want to risk a lawsuit, or church leaders

who fear any wrong step will trigger an explosive media blitz that will further diminish

their effectiveness as witnesses to the Gospel....

Holding onto anger has been likened to taking a sip of poison every day—not enough to

kill, but more than enough to debilitate. Certainly some time must pass before the

palliative value of forgiveness can be raised. The question is, how much time? There is no

single answer. For some, forgiveness is the work of a lifetime; others manage to forgive

more quickly, helped by people with the requisite sensitivity and wisdom....

Should we not also consider mitigating factors in cases of sexual abuse? Is it

reasonable to exclude permanently all the guilty from ministry, to treat a one-time offender

the same as a serial predator? Certainly some offenders need to be imprisoned or supervised

so that they do not harm again. Some expelled priests find themselves pariahs, abandoned and

isolated; in this state, a sense of despair may tempt them to seek victims again. Yet

others, earnestly repentant, healed through therapy and support systems, pose no further

threat and hold a proven record of dedicated priestly service. Ought we to judge any human

being by the worst thing he has done, as if it were the only thing he has done? Can any of

us endure that scrutiny?

The late Rabbi Abraham Heschel said that while it is important to consider all sides of

destructive and broken relationships, it is essential to include God's perspective as well.

God's own relentless pursuit of each sinner and saint finds expression in the father of the

prodigal son, or the lover in Francis Thompson's poem "The Hound of Heaven"; God longs only

for the sinner's repentance and homecoming.

...and in response to the intense reactions the piece generated, its author -- Sister of

REDACTED -- gave an in-depth Q&A in Sunday's editions of the Boston Globe:

IDEAS: Why discuss forgiveness for sexual abusers?

REDACTED I have been troubled by the failure of the church and the broader community

to even suggest that there is redemption for those who have sinned in any capacity and who

have repented. So into the silence, after many years of thinking and praying, and knowing

that no matter what I say my words will be misinterpreted, I thought someone has got to

start this conversation going. And so, I did.

IDEAS: Have you long been interested in forgiveness?

REDACTED : Absolutely. I've had enough of hurt in my own life, and I have witnessed

enough in my very long life, to know that as long as we hold on to the thing that has hurt

us, and hatred for the person who has perpetrated, that we remain to some degree in

the

grasp of the evil that we should escape.

IDEAS: Why did you want to wade into this subject? You must have known it was a bit of a

thicket.

REDACTED : Because I feel that the truth will set us free. And we are so enslaved by

impotence and rage and misunderstanding and silence. I don't see anywhere that the official

ecclesiastical church is suggesting any sort of policies or any sort of responsibility of

the entire community, not just the victims, to bring about some sort of healing, and to

include in the mix the suggestion that forgiveness may be one of the ways that at least some

of the people who are so damaged on both sides of the equation may be able to live fuller

lives. Forgiveness sucks the hatred out of the situation and allows us to go forward, that's

what I have been trying to say, not because I am the smartest one, but maybe because I am

the one in the providence of God who at this moment feels called upon to break the silence.

IDEAS: How do you sense the lack of forgiveness?

REDACTED : I don't hear anyone saying that people involved in this particular tragedy

either deserve forgiveness or are called to extend it. And I am a member of this church. I

have loved it my whole life. I have given my life to this church. I'm not young - I'm 75

years old, and I have spent my life. And if I were to see a person starving, I would bring

food. I think the starvation is for encouragement for compassion and mercy....

IDEAS: What is your hope for what your essay will accomplish?

REDACTED : I'm hoping that the conversation that I started will improve and will draw on

deeper wisdom than I have to offer and that somehow the larger community will engage in

creating a climate where forgiveness can flourish, where those who have been harmed by

sexual abuse may find solace and relief, and where those who have perpetrated the abuse will

be brought to repentance, and I suspect many of them already have, and will be given another

chance at continuing respectable lives.

IDEAS: And how has the reaction affected you?

REDACTED : I'm exhausted. It has been such an intense experience. Somewhere in my

article I say it's like entering a surgical ward - you don't want to hurt anything, you

don't want to touch anything. But you know you've got to do something, because not to do it

is to be somehow dishonest or unfaithful to what we believe as a church, as a human family.

REDACTED

September 4, 2008

Cardinal Roger Mahony
555 W. Temple Street
Los Angeles, CA 90012

PERSONAL AND CONFIDENTIAL

Dear Cardinal Mahony,

Perhaps you saw the August issue of *America* magazine, in which appeared an article by Sister of Mercy REDACTED This article was reported on in a blog by REDACTED , entitled "Whispers in the Loggia." It deals with the question of forgiveness for those involved in the tragedy of sexual abuse of minors by clergy. As this is an issue which, I believe, simmers beneath the surface of life in our church and needs facing and pondering, I enclose a copy of the blog item. It includes an interview with Sister REDACTED which you may not have seen.

Although I personally have faced my guilt in these matters and the harm I have done to others, and though I have sought and received forgiveness for the wrong I have done, I have sensed that some way of sharing this forgiveness is the priceless key to healing in the Church. As Sister REDACTED acknowledges, this may be difficult for many; it may be the task of a lifetime, if indeed it ever comes for some individuals. However, the failure even to speak of forgiveness or to call for it, calls into question, as the blog's author notes, the power of Christ's redemptive love. It is the one asset—priceless, indeed—that seems to be withheld from the "settlement" of this matter.

"Has the church," the author asks, "from top to bottom determined that those who have sexually abused minors are outside the circle of those whom God can forgive? Is there no grace left for them?"

It has been my belief that the manner in which the clergy sexual abuse of minors has been handled by our bishops' conference has been a serious failure in their call to preach the gospel of mercy. Perhaps you and I disagree about this, but perhaps we can agree that the "quality of mercy," if prayed for and applied in practice insofar as possible in as many concrete circumstances as possible, can help us as the People of God find a way to healing and reconciliation.

In the years since you asked me to leave the ministry, I have attended various parish churches week after week for the celebration of the Eucharist. While I hear regularly prayers and petitions offered for the healing of victims of sexual abuse, I have yet to hear a petition for the clergy who have offended or who have been accused. This silence at the altars at which we are prevented from celebrating—coupled with the silence and lack of contact from the great majority of our brothers in the presbyterate, including those whom we had thought of as "friends"—is deafening. It marginalizes us more and more in the community of the Church ("virtual excommunication"?) and belies the Gospel in which we profess our faith. It sends and echoes a message that there is no place for us in the Church, repentant or not.

253275

You have listened to the stories of many of the victims of abuse in the Church and, painful though it was, you have responded compassionately. I ask you to consider prayerfully the enclosed article and these few thoughts of mine. I'm sure there are many of my brother priests, both the culpable and the accused, who feel we have no listening ear to whom we might speak. The treasury of the church, including the financial treasury, has been lavishly shared to heal the victims and to show our true regret. May our pastors be equally generous in rising to share the spiritual treasury of forgiveness in a tangible way to those who seek it. In so doing we will once again be worthy of the Gospel that we promised to preach faithfully and fully on the day of our ordination.

Thank you for your consideration.

Sincerely in Christ,

Gary Fessard

Gary Fessard

FILE COPY

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2202

September 11, 2008

Gary Fessard
REDACTED

Dear Gary:

I have received your letter of September 4, 2008, and I appreciate your sending along a copy of the article in *America* magazine.

I had seen the article when it was first published, and have read it and reflected upon it.

As we reflect back in past centuries of crises and scandals in the Church, it is quite evident that a fairly long process must take place for both healing and for reconciliation. The spirit of forgiveness only takes hold more fully after greater healing has occurred in the Body of Christ.

While we all would hope for a more rapid pace of the process, the incredible depth of hurt and betrayal within the Church will require much more time for proper healing and reconciliation.

In my own personal meetings with victims, I experience in them a wide spectrum of healing and even forgiveness. Recently I met with several victims who have already forgiven those who have abused them, and this is very much a part of the entire process.

Asking the Lord's strength and grace in your own life, and with every best wish, I am

Sincerely yours in Christ,

Roger Card. Mahony

His Eminence
Cardinal Roger Mahony
Archbishop of Los Angeles
REDACTED

253274

[redacted]

DIOCESE OF PITTSBURGH www.diopitt.org 111 BOULEVARD OF THE ALLIES PITTSBURGH, PA 15222-1618

[redacted]

May 3, 2005

Monsignor Craig A. Cox, JCD
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Craig:

Sorry for the long delay regarding a case that you asked me to review and prepare a votum. Since January until April I have been not been doing much work due to ill health. [redacted] It has only been since the beginning of April that I have been back trying to find my way through all the paperwork.

In regard to the case, in November of 2004 you asked that I prepare a votum for Cardinal Mahoney regarding the case of Reverend Gerald Fessard. The purpose of that votum was to submit the case to the judgment of the Congregation for the Doctrine of the Faith. On December 16, 2004, I requested that you forward a copy of the votum and documentation that was already submitted to the Congregation for the Doctrine of the Faith regarding sustenance (Prot. N. 223/02-15132) and more detailed documentation regarding the 2003 denunciation. I did not receive the additional information. (Copy of memorandum enclosed)

If you wish me to complete this project, please forward me the requested documents and the project will be finished " quam primum."

With personal best wishes, I am

Fraternally,

[redacted]

RECEIVED
MAY 5 - 2005
BY:

[redacted]

DIOCESE OF PITTSBURGH www.diopitt.org 111 BOULEVARD OF THE ALLIES PITTSBURGH, PA 15222-1618

[redacted]

MEMORANDUM

To: Monsignor Craig Cox
Archdiocese of Los Angeles

From: [redacted]

Date: December 16, 2004

Re: Completion of the Case

I am in the final stages of completing the votum on the Father Fessard case that you have presented to me. Before I make the final corrections, I am in need of two pieces of information.

1. A copy of the final votum and documentation that was already submitted to the Congregation for the Doctrine of the Faith regarding sustenance (Prot. N 223/02-15132). I had sent a draft but never received the final version that was transmitted to Rome.

2. More detail on the allegation denunciated in 2003. The information provided was not sufficiently detailed.

Thanks for your assistance and patience. I would like to wrap this up as soon as possible. You can either FEDEX the material or send by [redacted] The FAX comes directly to my office.

Gary Fessard (GF): Document Summary

(other abbreviations: RM - Roger Mahony; GG - Gabe Gonzales [assist. vic. clergy]; DL - Dick Loomis [vic. clergy]; REDACTED REDACTED TD - Tim Dyer [vic. clergy])

01 proffer (Dec04), summary of GF's clergy & confidential files for court reporting purposes
02 ltr to RM (11Oct03) after recourse to CDF is denied, GF wishes to let RM know how he has been following advice given previously by RM (since CDF urged him to follow this advice)
03 ltr to RM (27Apr03) after RM denied additional financl assist.; announces recourse to CDF
04 ltr frm CDF (25 Jun03), recourse denied
05 ltr to REDACTED (26Jul03), GF has rqstd explanation from CDF for decision to deny appeal
06 ltr frm RM (17Apr03), no increase in support; in fraternal charity, prev. amount will continue to arrive pending decision by CDF
07 ltr to RM (26Mar03), seeking additional financl assist., recourse was necessary bcs more help is needed
08 ltr frm RM to CDF (6Apr03), rqstng issuance of formal rejection of recourse
09 ltr frm RM (12Mar03), in fraternal charity, monthly payment of $698.25 for health ins.
10 memo frm REDACTED to RM (11Mar03), better to acquiesce to rqst for assist. w/health ins.; ltr. to RM (1Mar03) seeking assist. w/medical
11 ltr to CDF from REDACTED (10Feb03) informing of two additional men claiming abuse
12 clergy assignment record
13 ltr frm RM to CDF (28Oct02) w/acts of Fessard case
14 ltr to RM (19Aug02), copy of recourse to CDF w/complete documentation
15 ltr frm REDACTED (9Aug02) informing of denial of rqsts (this became the basis for recourse to CDF)
16 ltr to RM (7Jul02), inadequacy of support; resigned offices at RM's request
17 ltr frm REDACTED to REDACTED (20May02), seeking advice, w/documentation
18 clergy performance improvement plan (95-96), following almost 10 yrs of sexl abstin.
19 agreed repayment schedule (18Aug98) for therapy given to vict
20 ltr to RM resigning positions in dioc. and ltr of RM accepting (14/15Feb02)
21 ltr to friends (20Feb02) announcing decision to take time away from ministry
22 ltr frm vict REDACTED to REDACTED (1May98), accepts offer to reimburse for therapy costs, and thanks
23 REDACTED notes (Oct/Nov97) on conversations w/vict REDACTED
24 progress report (17Sep96) of psych.; sees real break-through
25 self-evaluation (21Aug96), admitting past acts and accepting responsibility
26 memo of TD (24Jan95) re residency arrangements following evaluation frm St. Luke's Inst. (presenting issue: complaints in 94, after prev. episodes in 87)
27 rpt to TD frm St. Luke Inst. (Dec94); w/ltr frm GF to TD correcting two factual errors in rpt
28 ltr of introduction to St. Luke Inst. frm TD (10Nov94)
29 reports (testimony) from St. Luke Parishioners (30Aug94)
30 rpt frm psychologist, final report at closure of therapy (28Apr89)
31 ltr to RM (23Dec87), recommendations from treatment program at conclusion of same
32 ltr frm RM (19Jul87), to GF while at treatment program in New Mexico
33 probation order (23Jun87)
34 ltr of TD to treatment center in New Mexico, reserving space for GF
35 list of minor sem. victs, with report of events (Apr87)

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CURIA OF THE ARCHDIOCESE OF LOS ANGELES IN CALIFORNIA

REPORT

The Reverend Gerald B. Fessard
Accused of *Graviora Delicta*

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Authentication of Report ..... *Attachment 23*

DIOCESE	Los Angeles in California
NAME OF ORDINARY	Cardinal Roger M. Mahony
CDF PROT. NO.	223/02
NAME OF CLERIC	Reverend Gerald B. Fessard

PERSONAL DETAILS OF THE CLERIC	**Date of Birth**	14 July 1946	**Age**	60
	Ordination	27 May 1972	**Years of ministry**	30
ORIGINAL DIOCESE OF INCARDINATION		Los Angeles in California		
MINISTRY IN/TRANSFER TO OTHER DIOCESE		None		
CONTACT ADDRESS OF THE CLERIC		REDACTED		
CANONICAL ADVISOR				

ASSIGNMENTS

Years	Parish	Location	Appointment
1972-1975	St. Charles Borromeo	North Hollywood, California	Parochial Vicar
1975-1977	St. Pius X	Santa Fe Springs, California	Parochial Vicar
1977-1980	Santa Clara High School	Oxnard, California	Faculty
1977-1980	Santa Clara Church	Oxnard, California	Residence
1980-1985	St. Bernard High School	Playa del Rey, California	Faculty
1980-1981	St. Clement Church	Santa Monica, California	Residence
1981-1985	Archdiocesan Chancery	Los Angeles, California	Superintendent for Elementary Schools
1981-1985	St. Eugene	Los Angeles, California	Residence
1985-1986	St. Paul	Los Angeles, California	Residence
1986-1987	St. Martin of Tours	Los Angeles, California	Residence
1987	Our Lady Queen of Angeles Seminary	Los Angeles, California	Faculty, Dean of Discipline
1987-1988	In transition; sick leave		
1988-1989	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal
1988-1989	St. Timothy	Los Angeles, California	Residence

1989-1991	Educational leave, studies for JCL at Pontifical University of St. Thomas Aquinas in Rome		
1991-1996	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal, Judge
1991-1994	St. Luke the Evangelist	Temple City, California	Residence
1994-1995	St. Gregory Nazianzen	Los Angeles, California	Residence
1995-2002	Maryknoll Convent	Monrovia, California	Chaplain and Residence
1996-2002	Archdiocesan Chancery	Los Angeles, California	Adjutant Judicial Vicar
2002	Inactive Leave		

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Imputable Acts	Denunciation
1987	REDACTED	16	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	17	Touching genital area while sleeping in seminary dormitory	1987
1987	REDACTED	16	Touching genital area while sleeping in seminary dormitory	1987
1972	REDACTED	10	Entered the bedroom of the minor, pulled the covers off the bed, fondled genitals, pulled on the young man's penis and masturbated him	1997
1976 - 1977	REDACTED	11	Inappropriate touching, masturbating himself while fondling genitals of victim, kissing	2004 (lawsuit)
1979	REDACTED	15	Fondling the genitals of the victim and masturbating him, rubbing and massaging his body, getting into bed with him	2004 (lawsuit)

CIVIL PROCEEDINGS AGAINST THE CLERIC

Year	Type/Case	Resolution
1987	Criminal case for soliciting lewd acts and battery	Pled "no contest" (*nolo contendere*); sentenced to 36 months probation
2003	Criminal investigation and Grand Jury Subpoena	Dismissed because of the expiration of the criminal statute of limitations
2004	Civil lawsuit for damages (BC307230)	Pending

MEASURES TAKEN BY THE DIOCESE

Year	Type of Measure
1987	Treatment at Servants of the Paraclete Center, Jemez Springs, New Mexico
1994	Evaluation at the St. Luke Institute, Suitland, Maryland

SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC

Provided transitional assistance of $30,000 and was maintained on the Archdiocesan medical insurance program for six months; presently receiving monthly priest's salary as well as monthly charitable contribution from Archbishop towards payment of health insurance premiums; vested in the Priests' Pension Plan and will be able to draw a monthly benefit beginning at age 65

RESPONSE/RECOURSE MADE BY THE CLERIC

Year	Type of Response/Recourse
2003	Fessard made recourse to the Congregation for the Doctrine of the Faith, Prot. No. 223/02-17038, against the level of support that he was receiving from the Archdiocese; CDF denied his recourse
2006	On 16 December 2006, Fessard addressed a petition to Pope Benedict XVI seeking voluntary laicization, taking this step as an acknowledgment of his situation and for his spiritual and physical well-being as well as for the greater good of the Church

BISHOP'S *VOTUM*

Given Father Fessard's history of sexual abuse of minors, his yet unknown number of victims and the need to protect the welfare of children and to safeguard the reputation of the Church, and given as well the fact that he has no possibility of ever returning to active ministry, and that pending civil litigation in which he is involved may generate negative publicity, his laicization could only redound to the good of the Church. Moreover, Fessard is himself convinced that a return to the lay state would also be in his best interest, with a view to his spiritual welfare.

For these reasons, it appears imperative that the Church move promptly to protect the faithful from further danger of outrage and scandal by decisively terminating Father Fessard's status as a priest. Accordingly, and since Fessard has voluntarily petitioned the Holy Father for laicization, the *votum* expressed is definitively IN FAVOR OF GRANTING THE AFORESAID PETITION.

The Situation of the Reverend Gerald B. Fessard,

Accused of *Graviora Delicta*

PREFACE

The case of Father Fessard has been effectively summarized in the preceding Case Data Grid. As readily shown by **Attachment 1** (Letters of 25 June 2002 from the Congregation for the Doctrine of the Faith), this case is already known to the Congregation for the Doctrine of the Faith since Fessard had made recourse previously to that Dicastery concerning the level of sustenance accorded him by the Archdiocese of Los Angeles, a recourse that was denied by the Congregation.

HISTORY

Father Fessard was born on 14 July 1946 and ordained to the priesthood for the Archdiocese of Los Angeles in 1972. From ordination until he was placed on administrative leave in 2002, he held numerous assignments in the Archdiocese: Parochial Vicar in two parishes, faculty member at two high schools, Superintendent for Elementary Schools, Dean of Studies at the archdiocesan minor seminary, and staff member of the Archdiocesan Tribunal. Prior to and continuing after priestly ordination, Father Fessard has had a history of sexual misconduct. **Attachment 2** (History of Fessard Case) contains a summary of Fessard's history of sexual misconduct and the treatment he underwent in this regard; as this history indicates, more than twenty individuals are alleged to have been abused by Fessard, including both male and female victims, and five high school seminarians.

Since 1987, the Archdiocese has had to face the serious scandal caused by Father Fessard. Eight individuals have denounced him for sexually abusing them while they were minors. In addition to these specific denunciations, the attached documentation contains material indicating that Father Fessard also acted in an inappropriate manner with young girls during his assignment at Saint Luke Parish, Temple City, California. All of these incidents point to a pattern of child molestation on the part of Fessard, and it is for this reason that I am seeking his dismissal from the clerical state. In order that the gravity of the matter may be properly considered, I wish to review briefly the history of the accusations against Father Fessard.

The Archdiocese first received five individual denunciations against Father Fessard in 1987. As shown in **Attachment 3** (Notes regarding Denunciation of Fessard by Five Minor Seminarians), these victims include REDACTED REDACTED Three of these victims —REDACTED REDACTED — accused Father Fessard of taking them on an outing to a mountain cabin, getting in bed with them, embracing them and rubbing their backs while in bed. REDACTED REDACTED accused Fessard of touching their genitals while they were asleep, thus awakening them. It is important to note that all of these victims were minor seminarians at Our Lady Queen of Angels Seminary in Mission Hills while Fessard was the Dean of Studies at the seminary. As a consequence of these allegations, Fessard was removed from his responsibilities at Our Lady Queen of Angels Seminary and sent for treatment at Jemez Springs, New Mexico, under the care of the Servants of the Paraclete; see **Attachment 4** (Letters to and from Servants of the Paraclete, 1987). Civil authorities charged him with four criminal counts: two counts of battery and two counts of child molestation. These charges were later reduced by plea bargaining to one count of

battery and one count of child molestation, to which Fessard pled no contest (*nolo contendere*). As shown in **Attachment 5** (Court Order of 23 June 1987 Imposing a Suspended Sentence and Formal Probation), he was sentenced to three years probation with the requirements that he receive psychological treatment, that he not engage in employment where he might have direct access to minors and that he not be in the presence of minors without the presence of another responsible adult.

Following his treatment at Jemez Springs, Father Fessard was assigned to the Archdiocesan Tribunal in December of 1987 and was eventually sent for graduate studies in canon law at the Pontifical University of St. Thomas Aquinas in Rome. After completing his studies and returning to the Archdiocese with a licentiate in canon law, Fessard was again assigned to the Archdiocesan Tribunal with residence first at Saint Luke Parish in Temple City, and then at Saint Gregory Nazianzen Parish in Los Angeles. The decision to release him for further studies and eventually assign him to the Archdiocesan Tribunal with parish residence was based on the fact that in April of 1989, in a report from a licensed clinical psychologist — see **Attachment 6** (Letter of 28 April 1989 from Licensed Clinical Psychologist) — the professional opinion was expressed that Fessard did not require any further psychotherapy and that there were no psychological indications that he would repeat the "sexual mistakes of the past."

In 1994, the Archdiocese received a report from Saint Luke Parish, Temple City, concerning Father Fessard's behavior. It was alleged that he had acted in an inappropriate fashion, while under the influence of alcohol, with young female parishioners. As shown in **Attachment 7** (Report of Statements by St. Luke Parishioners, 30 August 1994), the teenagers contended that Fessard patted one of them on the buttocks, rubbed another on her shoulders and back, and made the girls uncomfortable. The girls were interviewed by the Vicar for Clergy, together with their parents, and their allegations were deemed credible. As a result of these new allegations, Fessard was asked to undergo a more thorough evaluation at Saint Luke Institute in Maryland.

During this evaluation, Father Fessard reported that prior to his ordination he had sexually molested ten to twelve minors, and that after ordination there were occasions when he had touched minors. The report from the Saint Luke Institute, see **Attachment 8** (Report from St. Luke Institute, 5 December 1994), indicated that Fessard had a long history of sexual contact with predominantly male, but also female, minors between the ages of twelve and fourteen. The report diagnosed Fessard as an ephebophile, sexually attracted to both males and females; it made the recommendation that he have no contact with minors and that he continue outpatient therapy. As a result of this evaluation, Fessard resumed his responsibilities in the Archdiocesan Tribunal and was assigned in residence to the Maryknoll Convent in Monrovia, California.

In 1997 new allegations were made against Father Fessard by REDACTED , as shown in **Attachment 9** (Report of Meeting with REDACTED , 27 October 1997) who contended that at the age of eight or nine he was molested at his home by Fessard. He stated that Fessard entered his bedroom, pulled back the bedcovers, fondled his genitals, pulled on his penis and masturbated him. These allegations were deemed credible, given Fessard's history and pattern of sexual misconduct. As can be seen in **Attachment 10** (Memorandum of 2 November 2000), in 2000, after Fessard had celebrated the 11:00 a.m. Mass, a young man approached the pastor and informed him that Fessard was a child molester and wanted to know why he was allowed to say Mass. This young man was a member of the music group assisting at Mass and became very animated when Fessard entered the church; he repeatedly told the music director that Fessard was a child molester, and this comment was overhead by at least one choir member.

By 2002 it had become clear that because of the accusations against him, Father Fessard could no longer continue in ministry of any kind. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from minis-

try of any priest guilty of even one act of sexual abuse of a minor. After discussing Fessard's situation fully at a meeting where he, I and REDACTED were present, Fessard resigned his ecclesiastical offices — as shown in **Attachment 11** (Letters of February 2002) — and was prohibited from priestly ministry. As can be seen in **Attachment 12** (Letter of 8 March 2002), he was invited at that time to consider making a voluntary petition for laicization, but he did not do so. He was given a generous transition payment from the Archdiocese and continues to receive a monthly salary as well as financial assistance for health insurance premiums.

In 2003, as **Attachment 13** (Grand Jury Subpoena of 4 April 2003) shows, a criminal investigation of Fessard's sexual abuse of minors led to his case being brought before the Los Angeles County Grand Jury and archdiocesan records being subpoenaed. However, when the U.S. Supreme Court struck down legislation enacted by the California legislature allowing for the criminal prosecution of certain crimes for which the statute of limitations had expired, the criminal investigation and Grand Jury subpoena were abated. Nonetheless, a civil lawsuit not affected by this decision of the Supreme Court is still pending, and the Archdiocese is being sued for damages resulting from Fessard's sexual abuse. As seen in **Attachment 14** (Letter of 14 July 2003), he was invited to reconsider his earlier decision not to petition for laicization, and he again chose not to petition.

In 2004, two further denunciations against Father Fessard became known to the Archdiocese when a lawsuit for damages related to sexual abuse by Fessard was filed. The complainants were two individuals, REDACTED and REDACTED . As shown in **Attachment 15** (Mediation Documentation for REDACTED), REDACTED claimed that, when he was eleven years old, Father Fessard inappropriately touched him, masturbated himself while fondling REDACTED genitals and kissed REDACTED during this sexual encounter. As seen in **Attachment 16** (Mediation Documentation for REDACTED), REDACTED claimed that, when he was fifteen, Father Fessard forcibly masturbated him, fondled his genitals and massaged his body.

It is this clear that Fessard's sexual abuse of minors was not an isolated incident but involved more than twenty individuals with multiple occurrences over a period of many years. He is in fact a sexual predator and can no longer function in ministry as a priest. The urgency of restoring good order in our community cannot be overstated, nor can the need to look to the well-being of the Church be overly emphasized. Moreover, the crimes committed are notorious and Father Fessard has admitted his deeds both to civil and to ecclesiastical authorities. In addition to the "no contest" plea he entered in the criminal proceedings against him, in his 2002 recourse to the Congregation against this Archdiocese, Fessard — as can be seen in **Attachment 17** (Letter of 19 November 2002) — wrote to then-Cardinal Ratzinger of "incidents of sexual misconduct on my part that had occurred in 1987" and he stated that "I fully acknowledge my responsibility for these sinful actions" (*op. cit.*, p. 1). In another letter of that same year, this time addressed to Cardinal Mahony — found in **Attachment 18** (Letter of 7 July 2002) — Fessard wrote: "The incidents of which I was guilty fifteen years ago were addressed satisfactorily in the civil forum of the State of California ... I deeply regret my past actions; and I have dealt with these offenses both spiritually and therapeutically" (*op. cit.*, p. 2). The public good therefore requires that Fessard no longer be recognized by the Church as a cleric or a priest. In this specific case:

- as detailed in this Report and in the attached documentation, Fessard has a history of sexual misconduct with minors; he is a notorious child abuser who has victimized a significant number of young people over an extended period of time;
- Fessard has abused young men who were preparing for the possibility of ordination to the Priesthood, thus endangering their potential vocation and placing their formation in substantial jeopardy;

- Fessard has publicly declared no contest (*nolo contendere)* to the criminal charges involving the seminarians at Our Lady Queen of Angels Seminary; his plea led to the Court placing him on probation with the order that undergo psychological treatment and avoid all unsupervised contact with minors;
- there are founded suspicions that further victims have not yet come forward, since Fessard admits involvement with more than twenty minors, less than ten of whom have so far made formal allegations against him;
- there is pending civil litigation in the State of California involving Fessard that will likely result in significant monetary damages to the Archdiocese;
- the climate in the United States does not permit a priest who has committed even one act of sexual abuse of a minor to be in ministry;
- the welfare of the Christian faithful and the reputation of the Church demand that this action be taken since Fessard's continuing status as a cleric and a priest will bring only greater detriment to this local Church.

As shown in **Attachment 19** (Letters of 16 and 21 November 2006), Father Fessard was informed in November 2006 of the intention to bring his case to a definitive solution and that, in light of his previous refusals to request voluntary laicization, his *ex officio* dismissal from the clerical state would be sought. He was invited to make a statement to be included with the material that would be sent to the Congregation for the Doctrine of the Faith regarding his case and he was reminded a final time of the possibility of making a voluntary petition for laicization. An initial deadline was set for him to respond, which — as can be seen in **Attachment 20** (Letter of 29 November 2006; Memorandum of 4 December 2006) — was extended upon a request advanced both by him and by his canonical advisor. There were further exchanges between the Archdiocese and Fessard's canonical advisor, as shown in **Attachment 21** (Letters of 4, 8 and 11 December 2006; Memorandum of 16 December 2006), and in the end Fessard chose to petition Pope Benedict XVI voluntarily for laicization, as can be seen in **Attachment 22** (Petition for Laicization and Letter Requesting Transmittal).

It may also be pointed out here that Father Fessard's overriding concern in the resolution of his case has been the level of sustenance he will continue to receive from the Archdiocese. This is amply borne out in the exchanges documented in **Attachments 20** and **21**, already cited above, and also in the recourse he made to the Congregation in 2002. For this reason, it bears noting what has been conveyed to him in this regard: namely, should his petition for laicization be granted, even though the obligation of canon 1350 §2 will not technically apply, since Fessard will not have been dismissed from the clerical state as a penalty, the Archdiocese will still fulfil the obligation contained in that canon, wherefore it will do all that it can to ensure that Fessard does not lack anything truly required for his decent support.

CONCLUSION

In conclusion then, given Father Fessard's multiple and serious sexual abuse of minors, his yet unknown number of victims and the need to protect the welfare of children and to safeguard the reputation of the Church, it appears that his petition to REDACTED requesting a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state should be granted.

DOCUMENTARY ATTACHMENTS

INDEX

Attachment 1: Letters of 25 June 2002 from the Congregation for the Doctrine of the Faith

Attachment 2: History of Fessard Case

Attachment 3: Notes regarding Denunciation of Fessard by Five Minor Seminarians

Attachment 4: Letters to and from Servants of the Paraclete, 1987

Attachment 5: Court Order of 23 June 1987 Imposing a Suspended Sentence and Formal Probation

Attachment 6: Letter of 28 April 1989 from Licensed Clinical Psychologist

Attachment 7: Report of Statements by St. Luke Parishioners, 30 August 1994

Attachment 8: Report from St. Luke Institute, 5 December 1994

Attachment 9: Report of Meeting with REDACTED 27 October 1997

Attachment 10: Memorandum of 2 November 2000

Attachment 11: Letters of February 2002

Attachment 12: Letter of 8 March 2002

Attachment 13: Grand Jury Subpoena of 4 April 2003

Attachment 14: Letter of 14 July 2003

Attachment 15: Mediation Documentation for REDACTED

Attachment 16: Mediation Documentation for

Attachment 17: Letter of 19 November 2002

Attachment 18: Letter of 7 July 2002

Attachment 19: Letters of 16 and 21 November 2006

Attachment 20: Letter of 29 November 2006; Memorandum of 4 December 2006

Attachment 21: Letters of 4, 8 and 11 December 2006; Memorandum of 16 December 2006

Attachment 22: Petition for Laicization and Letter requesting Transmittal

Attachment 23: Certificate of Authentication

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TAB 1

COPY

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

25 June, 2002

PROT. N. 223/02-17038
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Your Eminence,

The Congregation for the Doctrine of the Faith has studied the acts pertaining to the case of the **Reverend Gerald B. FESSARD**, a priest of the Archdiocese of Los Angeles, who has expressed his desire to have recourse to this Dicastery against the remuneration currently accorded to him by the Archdiocese.

Having carefully examined all the elements of the case, the Congregation has concluded that it would not be opportune to grant the recourse presented by Fr. Fessard. A letter is enclosed informing Fr. Fessard of this decision, which Your Eminence is kindly requested to forward.

In Your Eminence's letter of 6 April, 2003, you referred to some additional information in your possession, relating to your stated wish to request dismissal from the clerical state in the case of Fr. Fessard and two other priests of your archdiocese. The Congregation looks forward to receiving this material in due course.

I take this opportunity to offer Your Eminence my sincere respects and with every best wish, I remain,

Yours devotedly in the Lord

✠ Joseph Card. Ratzinger

(enclosure)

REDACTED

407926

555 West Temple Street,
Los Angeles
CA 90012
STATI UNITI D'AMERICA

COPY

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

25 June, 2003

PROT. N. 223/02-17039
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

Dear Fr. Fessard,

The Congregation for the Doctrine of the Faith has studied the acts pertaining to your recourse to this Dicastery against the level of remuneration currently accorded to you by the Archdiocese of Los Angeles.

I regret to have to inform you that, having carefully examined all the elements of the case, the Congregation has decided not to grant the recourse which you have presented. You are encouraged to act on the advice which Cardinal Mahony offered you in his letter of 17 April, 2003.

In the hope that you will be able to resolve your current difficulties by following His Eminence's recommendations, I take this opportunity to assure you of my prayers and good wishes,

Yours devotedly in the Lord

J Augustine Di Noia op

Fr. Joseph Augustine di Noia, O.P.
Undersecretary

The Reverend Gerald B. FESSARD
REDACTED

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TAB 2

RCALA 003716

Fessard, Rev. Gerald (55 y/o)
Victims: 22+
- 10 to 12 occasions (male & female) self-disclosed in evaluation at St. Luke's Institute
- 1 an adult recalling childhood abuse
- 5 high school seminarians (4 criminal charges; plea bargain: *nolo contendere* to 2)
- 5 teenage girls
- Unknown numbers of others (?)

Current situation:
Ordained: 1972
Ministry: Tribunal (Adjutant Judicial Vicar) – since 12/14/87
(formerly Associate Superintendent for Elementary Schools)
Residence: Maryknoll Sisters Retirement Facility – since 8/28/97

# # # # #

Approximately 20 years old, in college seminary, 1964-1968:

- As counselor tending ill or upset children late at night, gained "some gratification from touching children, putting my hands on their legs, genitals, buttocks while asleep. For kids away from home, I saw myself as a father or mother figure and tried to be both paternal and nurturing. For some reason, I related this occasional activity with those feelings. I have never overtly solicited sexual activity with children; the only instances occurred when they were asleep." *(N.B. This behavior went on for five summers – cf. the report from St. Luke's below.)*
(Self-disclosed in evaluation in Jemez Springs, 1987)
- Psychological progress report details:
  - Camp episodes
  - Occasional episodes since then
  - Allegations causing intervention & criminal charges – dorm and cabin
(Dr. REDACTED report in 7/1987)

Incident in first assignment, 1972-1975:

- Complaint from an adult about touching of genitals while child was "asleep." Priest was at dinner party and entered child's room, presumably on excuse of going to rest room. There would be "no reason to enter the children's bedroom" than molestation or mistake.
- Memory of event prompted by complainant's brother recounting a dream of his childhood that included the same scenario.
(Complaint brought in 1998)

Incident at high school seminary, 1987:

- Allegations by two students of touching of genitals while teens "asleep" and prowling dorms at night. *(early 1987)*
- Allegations by three boys of inappropriate behavior at priest's cabin.
- Charges brought: four charges, plea bargained to two

CCI 004433

RCALA 003717

  - One of battery
  - One of child molestation
    - *Nolo contendere* plea
    - Sentence: 3 years probation (ending 6/30/1990) + treatment

- Father Fessard "is both psychologically and literally in the dark" about his acting out, in that he approached his victims when he presumed they were asleep. "It seems to a great extent that he kept the behavior of touching boys' genitals when they were sleeping far apart from the rest of his life; that in some ways, he had compartmentalized that and had to some degree rationalized it and in other ways, more ignored it but kept it away from himself and did not it much in terms of his self-image."

REDACTED , *7/23/87)*

- Assessment/treatment at Jemez Springs – link of drinking and acting out
- Protocol on return – limited ministry, ongoing therapy, invoking treatment recommendations

(Report by victims, police, court and treatment documents, 1987)

<u>At Saint Luke, Temple City, 1991-1994:</u>

- Complaints from 5 teenage girls (12 to 14) and one mother of appearing under the influence, inappropriate behavior at a late night teen group meeting, observed alone with daughter by mother, patted girls on behind, made girls feel "uncomfortable."

(Report by victims, 1994)

- Evaluation by Saint Luke's, Maryland: as part of evaluation, self-disclosed more victims.
  - "Father Fessard states that his sexual acting out with minors began when he was approximately age 19 or 20 and working at a camp. Father Fessard states that he began touching adolescent males who were between the ages of 12 and 14 when he thought they were asleep.
  - "He also admits that he has sexually touched to 13-year-old females who were also asleep.
  - "Father Fessard states that he would sometimes do this after ordination when he would take minors on overnights and on camping trips. He reports that he would touch the testicles, penis and sometimes the buttocks of these young people.
  - "Father Fessard states that he is more attracted to "feminine" boys who are slender and have smooth bodies.
  - "He states that the touching occurred over five summers when he was young. He reportedly touched minors on 10 to 12 occasions.
  - He says that, after ordination, between 1972 and 1987, there were occasional overnights when he would touch minors."
  - DIAGNOSIS:

CCI 004434

- Paraphilia not otherwise specified – ephebophilia, sexually attracted to both males and females, non-exclusive. 302.90
- Alcohol dependence in early remission. 303.90
- Dependent and narcissistic traits.

(Report from Saint Luke's, 12/5/94)

Epiphany, S. El Monte, 11/2000:

- A young adult attending Mass publicly denounced priest to pastor, music minister and choir members that "he is a child molester." The young adult knew the whole story from the high school seminary.
- Pastor tried to contact young man, who he learned was a former seminarian at high school seminary. No contact.
- Withdrawn from all parish involvement (evidently allowed to help in parishes by Vicar sometime later).

(Report made by pastor)

Other observations:

- Perfectionist and workaholic as an ongoing concern detailed in Jemez Springs report
- Constant concern of priest about money and Archdiocesan support
  - Throughout legal proceedings
  - Throughout both treatments
  - In living situation
  - At work in ACC (e.g., lunch funds)
- Constant effort to return to "normal assignment" and parish involvement
  - Returning from Jemez Springs, priest wanted to reside in a parish with a school and wanted campus ministry in a girls college
  - In special living arrangements at Sisters' convent, asked to be more involved in parish ministry on several occasions
  - Felt removal from Sunday service was unjust when he was publicly denounced by former seminarian

Recommendations of two treatment programs and therapists:

- Jemez Springs: "Gary has done very well in the program. He is healthily anxious to go back into ministry and serve well the Archdiocese." (Rev. REDACTED REDACTED) Recommendation of Fr. Liam Hoare, s.P., attached.

(12/23/1987)

- Dr. REDACTED : "It is this examiner's opinion that Father Fessard does not require to continue in psychotherapy at present. ... Currently there are no psychological indications that he would repeat the sexual mistakes of the past."

(4/28/1989)

- Saint Luke's:
  - "... Father Fessard is to have no contact with male or female minors. In light of Father Fessard's recent difficulties it seems psychologically appropriate to make this recommendation very strongly. Father Fessard's

history is one where he has committed serious sexual offenses against minors over a long period of time. We therefore recommend that any assignment or living situation take into account that contact with minors will increase Father Fessard's risk for inappropriate behavior."

- Continued attendance at AA
- Continue outpatient therapy
- Father & therapist explore benefit of group therapy

(12/5/1994)

- REDACTED : After working with him for some time, recommended Father Fessard for a supervised return to parochial ministry under a protocol agreement.
- While this recommendation was being considered, the complaint of 1998 came in ending all consideration of the possibility.

(9/9/1996)

TAB 3

407933

List A - # C & D

A

REDACTED

REDACTED

3.

REDACTED

4. REDACTED

REDACTED

5. REDACTED

Present location - Our Lady Queen of the Angels Seminary - 15101 San Fernando Mission Blvd. Mission Hills, Ca. 91345 - REDACTED

407934

E. 1. DATE / TIME of Incident - Uncertain
PLACE - Uncertain

2. ⊗ OTHER

3. NARRATIVE DESCRIPTION:
Two students claimed that Mr. Gerald Nessard touched them in an immodest way at night when they were in the dormitory area. ~~The~~ Three students stated that they were embraced and touched by Mr. Gerald Nessard at his cabin last weekend.

5. REDACTED and REDACTED claimed that Mr. Nessard touched them in the genital area waking them up when they were asleep in the Dormitory area ~~at~~ AROUND midnight.
REDACTED and REDACTED ~~stated~~, that they went to Mr. Nessard's cabin and while they were telling Ghost stories they became frightened and went to bed with him. REDACTED stated that Mr. Nessard rubbed his neck and embraced him while in bed.
REDACTED claimed that Mr. Nessard put his arms

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REDACTED was not able to be seen that day the other boys were interviewed.

A - REDACTED

REDACTED 4-2-87

B - ⊗ Police Department

Los Angeles Police Department

REDACTED REDACTED 4-2-87 - 3:00 PM

C - See attached list A.

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TAB 4

ARCHDIOCESE OF LOS ANGELES
1531 WEST NINTH STREET
LOS ANGELES, CALIFORNIA 90015-1194
(213) 251-3200

COPY

OFFICE OF VICAR FOR CLERGY
(213) 251-3284

April 20, 1987

Rev. William Perri
Servants of the Paraclete
Jemez Springs
New Mexico 87025

Dear Father Perri:

I am writing you here about a priest from this Archdiocese whom we would like to send to Jemez Springs if you can accommodate him. His name is Father Gerald B. Fessard.

Until recently, Father Fessard was assigned to our High School Seminary, but two weeks ago two sophomore boys accused him of touching them sexually in the dormitory around midnight some time ago. Father Fessard denies these allegations, but he does admit to very inappropriate behavior involving sleeping in the same bed with three other students at a mountain cabin recently.

According to California law, the allegations had to be reported to the police, and they are now conducting an investigation. It is not clear whether the State will press charges, but we are hoping very much it will not. As soon as the investigation has been completed, we would very much like Father Fessard to go to Jemez Springs, and I wanted to let you know of this in advance.

Look forward to visiting with you at the end of this month.

Sincerely yours,

(Rev. Msgr.) Thomas J. Curry
Vicar for Clergy

REDACTED

407939

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

December 23, 1987

Most Reverend Roger Mahony, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

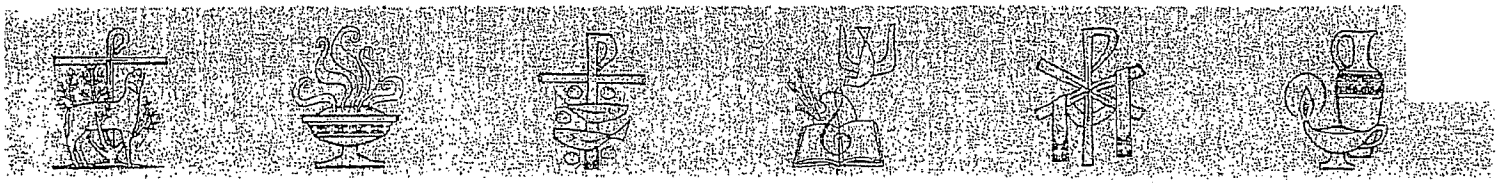
Dear Archbishop Mahony,

With the conclusion of the Foundation House Program, I would like to apprise you of my final recommendations relative to Fr. Gerald Fessard. These are based on an overview and have been made in consultation with Staff observations. If there are any questions or comments, please feel free to contact me.

REDACTED

REDACTED

REDACTED



Our sincerest thanks for your confidence in our program. We stand ready to be of any possible assistance in the future. Prayerful best wishes for a blessed Christmas Season and a Happy New Year.

Sincerely for Christ and His priests,

Liam Hoare, s.p.

(Very Rev.) Liam J. Hoare, s.P., M.A., C.A.C.
Director of Foundation House

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TAB 5

MUNICIPAL COURT OF JUDICIAL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
P&S MEMORANDUM OF COURT ORDER – PROBATION

People of the State of California vs.	Area Office:	Date of Order: 6-23-87
	Judge: REDACTED	Division: 82
GERALD Buckley FESSARD	Offense(s): 647(a) PC; 242 PC	
	Case No.: 87M14440	Probation No. X–

REC. ORDERED

☐ ☐ Probation/Diversion denied. ☐ Remaining counts _____
☐ ☐ Sentence imposed: ☐ _____ days imprisonment in the County Jail; credit for _____ days pre-sentence time served.
☐ $_____ or _____ days in the County Jail.

☐ ☒ Imposition of sentence suspended. ☐ Execution of said sentence suspended.
☐ ☒ Granted conditional sentence/formal Probation.
☐ Yrs ☒ Probation/Diversion granted for 36 months. ☐ Pay Diversion Administrative Fee of $ _____.
☐ ☐ Defendant shall pay **cost of probation services** ☐ in amount of $ _____, pursuant to 1203.1b Penal Code.
☐ ☐ Defendant shall pay **cost of incarceration** ☐ to DTTC or ☐ to the Court pursuant to 1203.1c Penal Code.

TERMS AND CONDITIONS IMPOSED AS TO COUNT(S) _____.

REC. ORDERED

☐ 1. ☐ Spend first _____ days in **County Jail.** ☐ Defendant shall serve _____ days on consecutive week-ends in the County Jail of Los Angeles County, each week-end period to be from _____ M. on _____ to _____ M. on _____ beginning on _____, 19 ____. ☐ Credit for _____ days pre-sentence time served.

☐ 2. ☐ Pay a fine of $ _____ plus $ _____ assessment(s), plus ☐ $1.00 Night Court, ☐ or serve _____ days in the County Jail, ☐ Through Court Clerk/Probation Officer as follows: $ _____ forthwith: $ _____ on the _____ of each month commencing _____ until paid; ☐ In the manner directed by the Probation Officer.

☐ 3. ☐ **Make restitution** to victim(s) through the Probation Officer in such amount and manner as officer shall prescribe, the total amount to include a 2% service charge as authorized by section 279 Welfare and Institutions Code.

☐ 4. ☐ **Abstain** from the use of all **alcoholic beverages**, including beer and wine, and stay out of places where they are the chief item of sale.

5. ☐ **Cooperate with Probation Officer** in any program designed to curb defendant's drinking habit.

6. ☐ **Not use or possess** any narcotics, dangerous, or restricted drugs or associated paraphernalia, except with valid prescription, and stay away from places where users congregate.

☐ 7. ☐ **Not associate** with persons known by you to be narcotic or drug users or sellers, **except** in an authorized drug counseling program.

☐ 8. ☐ Submit to periodic **anti-narcotic test**, as directed by the Probation Officer, such testing to be suspended while the Probationer is in custody, is hospitalized, or is in a residential drug treatment program approved by the Probation Officer.

☐ 9. ☐ **Not have blank checks** in possession, not write any portion of any checks, not have bank account upon which you may draw checks. Δ TO REGISTER Pursuant to §290.

☐ 10. ☒ **Not (associate with)** (harass, molest or annoy) _____ in any way; any communication between the Probationer and parties to have the prior approval of the Probation Officer.

☐ 11. ☒ **Cooperate with Probation Officer** in a plan for PSYCHIATRIC COUNSELLING – IN HOUSE RESIDENTIAL IN ALBUQUERQUE, NEW MEXICO.

☐ 12. ☐ **Support dependents** as directed by Probation Officer.

☐ 13. ☐ Seek and maintain **training, schooling, or employment** as approved by Probation Officer.

☐ 14. ☐ Maintain **residence** as approved by Probation Officer.

☐ 15. ☐ **Not drive** a motor vehicle unless lawfully licensed to drive, and then only when PL & PD insurance has been obtained and evidence thereof shown to the Probation Officer.

☐ 16. ☐ Not own, use or possess any **dangerous or deadly weapons.**

☐ 17. ☐ Submit his/her person and property to **search or seizure** at any time of the day or night by any law enforcement officer or by the Probation Officer with or without a warrant.

☐ 18. ☒ **Obey all laws**, orders of the court, and rules and regulations of the Probation Officer.

☐ 19. ☐ Spend _____ days/hours in **community service** and show proof of completion to P.O./Court by _____.

☐ 20. ☐ **Not associate** with children under 14 years, except in presence of responsible adults.

☐ 21. ☒ **Continued** to 8-7-87 at 9A M. for Progress ☐ defendant ordered to return.

☐ 22. ☒ Other Δ TO ENROLL ASAP IN PGM. Δ NOT TO HAVE ANY EMPLOYMT ALLOWING DIRECT ACCESS TO CHILDREN. Δ NOT TO BE IN PRESENCE OF MINORS WITHOUT ANOTHER RESPONSIBLE ADULT.

23. ☐ **Defendant acknowledges** that s/he understands and accepts each term and condition of the grant of probation/diversion. Δ TO RETURN NOTARIZED COPY OF CONDITIONS

Clerk of the above named Court. By _____

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TAB 6

CONFIDENTIAL

REDACTED

CONFIDENTIAL CLIENT INFORMATION

Client's Name: Rev. Gerald Fessard

REDACTED

Father Fessard: ctd. page 2

REDACTED

REDACTED

Father Fessard: ctd. page 3

REDACTED

REDACTED

April 28, 1989

407948

TAB 7

CONFIDENTIAL CONFIDENTIAL CONFIDENTIAL

TESTIMONY FROM ST. LUKE, TEMPLE CITY PARISHIONERS RE REV. GERALD FESSARD AUGUST 30, 1994

REDACTED (student): When Father Gary came to the lock-in, he talked about his celibacy for an hour or more. We didn't want him to take up our time. And he talked about his celibacy in a funny way. He kept us guessing. He put down my school, Alverno High. He doesn't gross me out, but does make me feel uncomfortable. He patted a girl on her butt on the way out.

REDACTED (REDACTED mother) was upset by the report that a priest talked to teenagers in a way that suggested that he or other priests have odd ways of doing celibacy. REDACTED repeated several times that he makes her uncomfortable, especially when he's close. "I don't mind the other priests", REDACTED quoted her daughter as saying. "I get the feeling like he's a child molester. That's how uncomfortable he makes me." REDACTED commented, "That's pretty strong coming from a child. I don't know if he's ever done anything like that."

REDACTED (youth minister): We did a penance service together once. On the very day, he phoned saying hedidn't like it. He insisted I do it over. I typed it over and had to fax it to his office. Very upset, I was in tears. The older women who work in the evening complain about his yelling at them, being constantly critical, nit-picky. They say "Nothing you do is right.". When he's not drinking, he's dry, legalistic,, no fooling around. When he's drinking he gets real touchy-feely. Mixed signals. When talking to the kids, he said [that] sexuality in all people has a range from very masculine to very feminine. A person can go from one end to the other. When asked if he would ever lie, he said, "I value my integrity. I tell the truth. But if anyone asked me about my celibacy, I would never say I didn't do anything." Some kids then said, "So, you have fooled around." He replied, "Now, I didn't say that."

Father Gary had been coming by the old "Upper Room", the yough group meeting room, two or three times a week, after dinner, under the influence of alcohol. He'd be smoking a pipe.

REDACTED (student) and REDACTED (her mother): REDACTED was seen off talking alone by her mother. REDACTED herself reported their talk as helpful, "sweet", and appropriate. He hugged her "a little too much" while getting donuts at the parish.

(continued on next page)

TESTIMONY OF PARISHIONERS OF ST. LUKE PARISH, TEMPLE CITY RE REV. GERALD FESSARD (cont.)

REDACTED : REDACTED observed, at the lock-in, that Fr. Fessard was very much under the influence.

Earlier at an evening parish event, REDACTED observed Fr. Fessard patting her eight-year-old daughter's behind, repeating it often over a period of time, and [this] made REDACTED extremely uncomfortable. She told her husband right at that time.

At thelock-in, REDACTED sensed that the teenagers, especially the girls, were uncomfortable, really tensed up, grabbed their pillows when he came in.

REDACTED: "I've noticed his drinking. When the priest from the Tribunal had dinner here, he was very much under the influence."

REDACTED "He was kind of drunk at the Confirmation dinner and was quite demanding and rude to the people serving the dinner."

REDACTED (adult): Her 15-year-old daughter noticed the alcohol breath at a dance in an offensive kind of way. She, daughter, is quite uncomfortable with Fr. Fessard. Mr. and Mrs. REDACTED like Fr. Fessard, are good friends, and have used his cabin. REDACTED did note, however, that a number of her daughter's friends felt uncomfortable around him.

REDACTED (student): At the Church he would yell at young people at the youth Mass (at boy bringing up the gifts in the "wrong" way, at a boy he thought improperly dressed). When I was in the choir, he would come to the rehearsal and say "Sing this" and "Don't sing that." In the last few months he started paying a lot of attention to me, his hand on my shoulder and stuff, made me uncomfortable. He told me after a meeting, "You should speak up more. You have a lot to say. You should come and talk to me." At the lock-in, he patted me on the butt, rubbed my shoulders and back, making me very uncomfortable. Fr. Gary told us that he notices that we all tense up when he comes in the room. He basically told us teenagers that he had sex after he became a priest. Maybe he didn't know he said that, buthe did. I thought, "Gee, I hope it wasn't someone like me. Ihope no one was forced."

407951

TAB 8



Saint Luke Institute

December 5, 1994

Confidential

Reverend Monsignor Timothy J. Dyer
Vicar for Clergy
1531 W. Ninth Street
Los Angeles, CA 90015-1194

Re: Reverend Gerald Fessard
SLI No: 13030

Dear Monsignor Dyer:

Thank you for your referral of Father Gerald Fessard who is, as you know, a 48 year old Roman Catholic priest from the Archdiocese of Los Angeles, California.

REASON FOR REFERRAL: Father Fessard was referred after recent complaints that he had, while intoxicated, patted an older adolescent female on the rear end and had massaged the neck of another adolescent. Testimony from other parishioners suggests that Father Fessard had discussed celibacy with adolescents in a way that made them feel uncomfortable. He was reportedly observed under the influence on several occasions. One woman observed Father Fessard patting her eight year old daughter's rear end and mentioned to her husband how uncomfortable this made her. These reports were taken very seriously since Father Fessard had been in treatment at the Paracletes institution approximately seven or eight years ago for sexual fondling of young adolescents while he thought they were asleep. After Father Fessard returned to ministry, he was told that he could do no ministry with minors. Father Fessard states that he did not understand that this prohibited him from stopping in on youth group meetings.

[redacted]

2420 Brooks Drive • Suitland, Maryland 20746-5294 • (301) 967-3700 • FAX: (301) 967-3953
Affiliated with the Daughters of Charity, National Health System

[redacted]

[redacted]

[redacted]

[redacted] Father Fessard believes that his rigid moralistic standards and repression of sexual feelings are connected to his later sexual acting out with adolescents.

Father Fessard states that his sexual acting out with minors began when he was approximately age 19 or 20 and working at a camp. Father Fessard states that he began touching adolescent males who were between the ages of 12 and 14 when he thought they were asleep. He also admits that he has sexually touched two 13

year old females who were also asleep. Father Fessard states that he would sometimes do this after ordination when he would take minors on overnights and on camping trips. He reports that he would touch the testicles, penis and sometimes the buttocks of these young people. Father Fessard states that he would occasionally masturbate himself while touching these minors. He notes that he would often become aroused without touching himself and would masturbate to ejaculation later.

Father Fessard states that he is more attracted to "feminine" boys who are slender and have smooth bodies. He states that the touching occurred over five summers when he was young. He reportedly touched minors on 10 to 12 occasions. He says that after ordination, between 1972 and 1987, there were occasional overnights when he would touch minors. Towards the end of this period, he would go through a dormitory at night when he was at the high school seminary. He says that he touched one boy who he thought was asleep and another boy reportedly observed him doing this. He also reportedly touched this second boy when he thought he was asleep. Father Fessard says that one week after this incident, he took three students to the mountains and touched one of these students. This child was reportedly uncomfortable and later talked to the male minor who observed Father Fessard touching another person. Once these male minors talked to each other, their conversation reportedly generated a report to the Chancery.

Father Fessard reports that he went into treatment at the Paracletes institution in 1987. This followed a police investigation of his behavior with the students. Father Fessard pleaded guilty to one charge of battery and one charge of sexual molestation. He was given probation of three months and treatment was part of the court's recommendation. Father Fessard spent approximately six months at Jemez Springs in treatment.

Father Fessard states that treatment helped him realize that he was "leading a double life." He reports that the issue around his drinking was given some attention but did not seem to him to be seriously brought up as a major issue. Father Fessard reports that he returned to Los Angeles in December of 1987. He says that the recommendation was that he have no contact with minors; he soon began work in the Tribunal. Father Fessard reports that he went to Rome to study canon law and in 1991 returned to Los Angeles where he was assigned to Tribunal work.

Father Fessard reports that he was told that he could do no ministry to minors but refused to sign a document that was concerned with this issue. He reports that he preferred to give his personal assurance to officials in the archdiocese that he would not be involved in any ministry to minors.

Father Fessard reports that he did not understand that the prohibition against ministry to minors would apply to occasional visits to the youth group meeting. He says that he would occasionally stop in at these meetings and stay only a short time. However, he reportedly came to one of the meetings intoxicated and stayed for a considerable length of time. It was at this meeting that he reportedly talked about celibacy in a way that left some of the young people concerned that he was hinting that he had been sexually active. He also reportedly walked by one girl who was 17 years old and "swatted her on the rear." He says that he meant nothing sexual by this. Father Fessard also admits that he touched a girl on the shoulder. He says that he might have squeezed her shoulders once or twice as he walked by her.

Father Fessard says that he was unaware of concerns people had about his interaction with other children. When we discussed the fact that a mother was troubled by the way he acted with her eight-year old child, Father Fessard reports that he was surprised by this.

After Father Fessard's behavior at the youth group became known, he was referred to an alcoholism treatment center where he participated in and completed a 28-day program. Father Fessard states that he has attended AA approximately five times a week since leaving this program. He also reports that he has a sponsor in AA.

[redacted]

[redacted] He reports that he had a great deal to drink the night that he attended the youth group.

[redacted] Father Fessard notes that from June of 1993 until June of 1994 he participated in a group for priests who have had a history of sexual misconduct problems. He says that he found this group quite helpful and was disappointed that the group ended.

[redacted]

LEGAL STATUS: As mentioned above, Father Fessard was arrested in 1987. He was put on probation and psychotherapy was recommended. There were no civil charges brought against Father Fessard.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] However, the data suggests that Father Fessard is at risk for misinterpreting or distorting information in his environment. It will thus be important for Father Fessard to allow the opinions of others to be part of his decision making process. An example of this is Father Fessard's judgement about dropping in on youth group activities. It is likely that Father Fessard's thinking about this was quite deliberate but it would have been better had he consulted with various other people who might have understood the risks of this behavior differently.

Finally, the data suggests that Father Fessard may be naive about the strength of some of his sexual and aggressive impulses. Data suggest that Father Fessard is at risk for using various defensive distancing and intellectualizing behaviors that may prevent him from recognizing these problematic areas inside himself.

[redacted]

Paraphilia not otherwise specified - ephebophilia, sexually attracted to both males and females, non-exclusive. [redacted]

[redacted]

SUMMARY AND RECOMMENDATIONS: Father Fessard has a long history of sexual contact with predominantly male but also female minors who are between the ages of 12 and 14. [redacted]

In addition, it is clear that Father Fessard's behavior difficulties were exacerbated by his alcoholism. [redacted]

Father Fessard's continued difficulty with his behavior suggests that he needs ongoing help with his psychosexual issues and his alcoholism. We therefore recommend the following: 1) The most important recommendation is that Father Fessard have no contact with male or female minors. In light of Father Fessard's recent difficulties it seems psychologically appropriate to make this recommendation very strongly. [redacted] We recommend that Father Fessard continue in outpatient psychotherapy focusing on ways that he can prevent future relapses into sexually inappropriate behavior or alcoholism. We recommend that he work with someone who is experienced in working with sex offenders and addictive disorders. 4) We recommend that Father Fessard and his therapist explore the possibility of his attending a support group for people who have ongoing sexual problems.

Father Fessard has many important strengths that will help him in his recovery from alcoholism and sexual dysfunction. [redacted]

We hope this report is of help to you and to Father Fessard. If you have any questions or if we can be of other assistance please do not hesitate to contact us.

Sincerely,

[redacted]

Director, Outpatient Department

[redacted]

cc: Reverend Gerald Fessard

TAB 9

407962

Meeting with REDACTED **at St. Charles, N. Hollywood**
October 27, 1997 - - approximately 11:30 am

Mr. REDACTED recounted that when he was 8 or 9 years old, his home was very open to people from the entertainment industry. There were three times that he was molested by visitors to his home - one of these by a priest.

Concerning Father Fessard:
During a dinner party held by his parents, he was in bed in the other part of the house. The priest came into his bedroom and pulled back the covers and fondled him, pulling on his penis and masturbating him. There was no further activity and no conversation. REDACTED feigned sleep and was paralyzed with fear. He has no idea how long this went on (a minute, five minutes, longer?). It was a single instance with this priest.

There would have been no reason for him to come into the room other than tendencies toward child molestation and that he knew the children were downstairs.

This memory came back to him through a phone conversation with his brother on August 25th. His brother told him of a weird dream he had had recently about their childhood which included this scenario. As he recounted the dream, the memory surfaced and REDACTED was paralyzed with the reality that it was not a dream - at least for him.

Though REDACTED has sought advice from the police, his concern is that others would not be hurt - not the destruction of lives.

I assured Mr. REDACTED *that Father was not in parish ministry and that I would speak with him about the matter. Following that, I would get back in touch with him.*

REDACTED

Summary of phone conversation with Mr. REDACTED **, 11/6/97 - 8:00 pm**
Regarding Father Gary Fessard

My position when we spoke at Saint Charles:
- did assure you Father was in special ministry, not with young people
- couldn't say more at the time
- Father wants me to reveal to you of the following
  - (making himself vulnerable to reassure you):

Father is in special ministry
- in office work
- lives w/ retired nuns as their chaplain
- helps in parishes mostly on weekends and only occasionally due to need
- no work with minors

Father has been through extensive treatment
- for sexual addiction and alcohol abuse
- has been completely cooperative
  - residential
  - ongoing therapy
  - 12 Step therapy
- has 10 year history with no acting out

opinion of treatment team is that
- with support (living situation, special ministry, accountability)
- he does not present a danger to others
- Father is willing to allow you to speak with a professional
  - who is conversant with his recovery
  - can explain the treatment

Father has no recollection of the incident (I believe him - black outs?)
- but is willing to assist in healing
- by helping with therapy costs

Mr. REDACTED *declined the need for further contact (e.g. with Father's therapist, applauded Father's courage in facing his problems, wishes him his best, does want help with therapy in dealing with the specific issues of molestation (approximately from August through early December).*

I assured him we would help set that up and asked him to send me bills and the name, address and phone of his therapist. He agreed

The following day I contacted Father Fessard and he was relieved and agreed to the request for therapy.

407964

TAB 10

407965

MEMORANDUM

To: **File**

From: [redacted]

Re: **Reverend Gary Fressard**

Date: **November 2, 2000**

[redacted] reported to me that he had recently met with Father Gary Fressard regarding an incident after a mass, which Father Fressard celebrated at Epiphany Church approximately two weeks ago. [redacted] asked me to contact the Pastor of Epiphany Church, Father [redacted] regarding this incident.

In my conversation with Father [redacted] this morning, he informed me that approximately two Sundays ago, a young man approached him after the 11:00 am mass that Father Fressard celebrated. He stated that this person who was approximately 24 years old, informed him that Father Fressard was a "Child molester." The man was quite agitated and told Father [redacted] that he was a student at Queen of Angeles Seminary while Father Fressard was on staff. He reported that he knew that Father Fressard took a group of seminarians to his cabin and "molested them." "He played with their balls and did all sorts of things to them." He wanted to know why Father Fressard was allowed to say mass.

Father [redacted] informed the man that he did not know any information regarding this situation, but was of the belief if something of that nature had occurred, he was sure that the Archdiocese would have taken care of any difficulties that may have followed to allow Father Fressard to say a public mass. This person informed Father [redacted] that two of the boys involved in the cabin trip were parishioners at Epiphany, and one of them lived only two blocks away from the church.

Later that day, the music director at the parish spoke with Father [redacted] and informed him that a young man had assisted them with the music ministry during the 11:00 mass. This man had identified Father Fressard as a "Child Molester." The music director stated that as soon as the man saw Father Fressard enter the church, he became very animated and repeatedly told him that Father was a "Child Molester." The director identified one choir member as overhearing this statement. Father [redacted] stated this man was the same one who approached him after mass.

407967

TAB 11

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard
Los Angeles California 90010-2241

REDACTED

Archdiocesan Catholic Center
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL

February 14, 2002

REDACTED

Following upon our meeting of last Tuesday, February 12, 2002, I am hereby submitting my resignation from the following offices:

Adjutant Judicial Vicar
Delegate in Matrimonial Matters
Judge and Defender of the Bond
Advocate
Notary
Chaplain to Maryknoll Sisters, Monrovia

I offer these resignations to be effective Saturday, February 16, 2002. I thank you for your confidence in appointing me to serve in these offices, and I trust that the Lord has blessed my service with some effectiveness.

Sincerely in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: REDACTED REDACTED

407968

COPY

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard

Los Angeles California 90010-2241

February 15, 2002

PERSONAL

Rev. Gerald B. Fessard, M.A., J.C.L.

Dear Father Fessard:

I have received your letter dated February 14, 2002 in which you submit your resignation, effective February 16, 2002, from the following offices:

1. Adjutant Judicial Vicar
2. Delegate in Matrimonial Matters
3. Judge and Defender of the Bond
4. Advocate
5. Notary
6. Chaplain to the Maryknoll Sisters, Monrovia

I am grateful to you for your diligent carrying out of these special offices for the good of the Church.

REDACTED

Archbishop of Los Angeles

REDACTED

407969

407970

TAB 12

Archdiocese of Los Angeles | Office of Vicar for Clergy (213) 637-7284 | 3424 Wilshire Boulevard | Los Angeles California 90010-2241

March 8, 2002

Reverend Gerald B. Fessard
[redacted]

Dear Gary:

This is to put on paper for you the information I communicated to you on the telephone a little earlier this afternoon.

First, the Cardinal renews his request, made to you personally, that you present a petition for laicization. He asks you to present this for your own welfare and that of the Church.

As transitional support, the Archdiocese is making a gift to you of thirty-thousand dollars ($30,000). This will enable you to purchase an automobile, pay first and last months' rent and secure some of the necessities you may need. Five thousand dollars ($5,000) of this amount was already advanced to you. Enclosed is a check for the additional twenty-five thousand dollars ($25,000).

For the next six months, you will continue to be maintained under the Archdiocesan medical insurance coverage (RETA). You will not be eligible, however, for reimbursement of the deductible or other expenses that are not covered by the insurance program.

You are vested in the Archdiocesan Priest's pension program. You will be able to draw on the monthly pension benefit beginning at age sixty-five.

Beyond the immediate assistance that is being provided at this time, the Archdiocese proposes to recognize and respond to certain hardships related to your leave of absence. We are prepared to arrange an annuity that would pay you $1,000 a month. Between now and age sixty-five, that amount will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment. Once you begin drawing on the pension fund, the annuity payment continues, more than making up the difference in the amount you would have received had you continued in service until age seventy.

We are also prepared to forgive the balance of the loan you owe to the Archdiocese. The current balance is $1,085.00.

We believe this is a fair package, one that is consistent with the kind of support given to our priests in retirement and medical disability.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

407971

enclosure: check

TAB 13

407972

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

GRAND JURY

ORIGINAL

RECEIVED
APR - 2003

The People of the State of California:

To: Reference No. GJ01-02/40

Custodian of Records, Roman Catholic Archdiocese of Los Angeles,
A corporation sole (also identified as the Archdiocese of Los Angeles)

YOU ARE COMMANDED to appear before the Grand Jury of the County of Los Angeles, State of California, at 13-303 Criminal Justice Center, 210 West Temple Street, City of Los Angeles, County and State aforesaid, on the 2nd day of May, 2003 at 8:30 a.m., as witness in an investigation pending before said Grand Jury, and bring with you the following:

See Attachment

Given under my hand this 4th day of April 2003

407973

REDACTED, District Attorney
for the County of Los Angeles, State of California

REDACTED
By

ATTACHMENT TO GRAND JURY SUBPOENA(REF.#G. -02/40)

All documents and other materials that are in the possession, custody, or control of the Roman Catholic Archbishop of Los Angeles that relate in any way to allegations of child molestation or sexual abuse committed by Gerald Fessard.

The subpoenaed documents and other materials include, but are not limited to, documents in the general archives, general files, sub secreto files or archives, personnel files, confidential, c-files, locked files, and investigative files as well as memoranda, correspondence, reports, evaluations, interviews, statements, notes, contracts, agreements, settlement agreements, confidentiality agreements, and records of payment relating in any way to allegations of child molestation and sexual abuse committed by Gerald Fessard.

The subpoenaed documents and other materials include, but are not limited to, all documents in hard copy paper form or stored electronically in computers; printouts of information stored in computers or other retention or processing systems; computer files; e-mail communications; photographs; sound reproduction material that is typed, written handwritten, taped, reproduced, or recorded in any manner that is related in way to allegations of child molestation or sexual abuse committed by Gerald Fessard.

The subpoenaed documents and other materials include, but are not limited to, all records pertaining to the assignment history of Gerald Fessard, transfer of Gerald Fessard within the Archdiocese of Los Angeles, and the removal of Gerald Fessard from active ministry.

The subpoenaed documents are to be provided regardless of their location within the Archdiocese of Los Angeles or within the custody or control of the Roman Catholic Archbishop of Los Angeles including, but not limited to, any Archdiocese administrative office, archival storage facility, storage facility, parish, rectory, mission, residence, or school.

The subpoenaed documents or materials include any "green page", "green sheet", or "green card" from personnel files or other files indicating that information is on file or located elsewhere. If documents or other material have been moved outside of the Roman Catholic Archbishop of Los Angeles, a declaration shall be prepared identifying the documents or other materials that were transferred, when the documents or other materials were transferred, and who was involved with the transfer. All documentation pertaining to the transfer is requested.

Any subpoenaed documents and other material considered to be privileged by the Archdiocese shall be produced with a detailed statement describing the item for which a privilege is asserted, the subject matter of the item for which a privilege is asserted, the names of all individuals appearing on the item for which a privilege is asserted, and the basis for the asserted privilege.

407974

407975

TAB 14

Archdiocese of Los Angeles

Archdiocesan Catholic Center
Office (213) 637-7000
Fax (213) 637-6000

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

July 14, 2003

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard,

Please find with this letter a copy of the decision of the Congregation for the Doctrine of the Faith in regard your recourse regarding the matter of financial support from the Archdiocese of Los Angeles. Though it is not the outcome you sought, I do hope that it brings some resolution to the situation and will allow you to make plans for the future.

Clearly, there is no possibility of return to ministry for you. In light of that fact, I propose to you once again the Cardinal's invitation that you petition for a return to the lay state. Such a petition on your part would serve the welfare of the Church at this difficult time. It may also afford you a dignified and spiritually beneficial way forward.

Finally, due to my new duties as Pastor, please direct any further correspondence with the Archdiocese to Father Gabriel Gonzales. He has just begun service as Assistant Vicar for the Clergy, and the Cardinal has designated him to be his liaison with you.

Please know that you have been and will continue to be in my prayers.

PAX!
REDACTED

attachment

407976

408067

TAB 17

COPY

8 Terrace Circle
Laguna Niguel, CA 92677-4115

August 19, 2002

His Eminence, Joseph Cardinal Ratzinger
Prefect
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00120 Vatican City **EUROPE**

Your Eminence,

I am presenting this petition for hierarchic recourse to the Congregation for the Doctrine of the Faith in virtue of the competence of this esteemed Congregation to examine issues related to the *graviora delicta* defined in the *motu proprio, Sacramentorum Sanctitatis Tutela.* The specific reason for the presentation of this petition is due to the refusal of His Eminence, Roger Cardinal Mahony, Archbishop of Los Angeles, to grant a petition which I have presented to him in accord with canon 57, §1, on July 8, 2002. A negative response to this petition was communicated to me by the [redacted] and received by me on August 15, 2002. Therefore, in accord with canon 1737, §2, I am presenting this petition seeking the revocation of Cardinal Mahony's decision.

Briefly summarizing the events and circumstances which have necessitated this action: on February 12, 2002, at an appointment with Cardinal Mahony, he requested that I resign all offices that I held in the Archdiocese of Los Angeles due to incidents of sexual misconduct on my part that had occurred in 1987. Additionally, he directed me to depart my residence with the Maryknoll Sisters in Monrovia, California; and he requested that I present a petition to the Holy Father to return to the lay state, stating that due to a "new standard of measurement," there would never again be an opportunity for me to serve in any form of priestly ministry. In making these requests, he assured me that I would continue to receive a "generous" support package addressing my financial needs.

Addressing the incidents that took place in 1987, I fully acknowledge my responsibility for these sinful actions. This entire matter was completely resolved, however, at that time to the satisfaction of the persons whom I offended and the civil authorities of the State of California. I additionally complied with Cardinal Mahony's requests that I undertake therapy and spiritual direction addressing this misconduct. When I successfully completed these programs, I was returned to priestly ministry with certain restrictions with which I have fully complied. It was not deemed necessary or appropriate to impose canonical sanctions on me for these offenses, as the conditions noted in canon 1341 were addressed in a satisfactory manner.

In a spirit of reverence and obedience, however, I did comply with Cardinal Mahony's request and did submit on February 14, 2002, the resignations that he requested (Document 1); and I departed my residence with the Maryknoll Sisters. On February 15, 2002, Cardinal Mahony formally accepted my resignations (Document 2).

Since I do remain completely dedicated to the ministry of the priesthood, I was not willing, however, to petition for a dispensation from the obligations arising from Sacred Orders.

On March 8, 2002, I received from the Vicar for Clergy a letter in which he explained to me what my future support would entail (Document 3). Since priests of the Archdiocese of Los Angeles do not own their own automobiles, I was provided with an immediate gift of $25,000 for the purpose of purchasing an automobile and an additional $8,000 to meet other immediate expenses such as room and board since I now had to provide for my own residence. However, due to the fact that the financial package being offered by the Archdiocese was completely inadequate in addressing my continuing expenses due to the high cost of living in southern California, I presented the Vicar for Clergy with a request on March 18, 2002, that my support be adjusted in light of the actual expenses that I was facing (Document 4).

On April 29, 2002, I received a response to this request from the Director of the Secretariat for Administrative Services informing me that, due to the circumstances that had led to my resignation from office, the Archdiocese would not provide me with additional assistance (Document 5). I would also note that the offer that I "ghost write" sentences for the Metropolitan Tribunal as a source of income that is noted in his letter has since been withdrawn. In a subsequent letter dated May 7, 2002, the Director also informed me that my health insurance would be discontinued in August of 2002 (Document 6).

Since the actions of the Archdiocese were not consistent with the Cardinal's assurances that I would be treated in an equitable and even "generous" fashion but were, in fact, penal in nature, I wrote directly to the Cardinal on May 8, 2002, asking that he address the issue of my adequate support (Document 7); and in support of this request I also presented him with an assessment of my income and expenses (Document 8). I did not receive a response to this letter.

Two months later, on July 7, 2002, I then presented Cardinal Mahony with a formal petition requesting a decree that would either return me to the full exercise of the priestly ministry as a priest in good standing or assure that I would receive adequate support and benefits if I am not to be permitted the exercise of my priestly ministry (Document 9). As noted at the outset of this petition, I have now received from the Vicar General a response to this petition indicating that Cardinal Mahony has denied the requests that I have made (Document 10).

As I expressed in my petition to the Cardinal, despite his verbal assurances to the contrary, the actions which have been taken in my regard have, in fact, constituted the unjust application of expiatory penalties improperly denying me even the basic sustenance that I require in order to provide for my living expenses. As such, these actions constitute a complete disregard of canon 221, §3, by imposing *de facto* expiatory penalties without due process of law.

Additionally, the imposition of penalties for these past actions at the present time fails to take into consideration the successful resolution of these matters in accord with the principles enunciated in canon 1341 and expressed by the Most Holy Father in his address to the American Cardinals in April of this year. Moreover, during the Jubilee Year two years ago, I wrote to Cardinal Mahony on March 12, 2000, in the spirit of canon 384 for the purpose of expressing my gratitude for his message of forgiveness and healing to which we are called in the New Millennium, especially in light of my own failings for which I again apologized (Document 11). The Cardinal acknowledged my letter on March 22, 2000, accepting my apology and supporting my continuing priestly ministry (Document 12).

I would also note that the period of prescription expressed in *Sacramentorum Sanctitatis Tutela,* art. 5, §2, which permits initiating a penal action for a period of ten years beyond a minor's eighteenth birthday has long since lapsed, as the individuals whom I offended are well past the age of twenty-eight years at the present time.

Your Eminence, I fully understand the concerns which Cardinal Mahony has relative to my sinful actions of fifteen years ago. I deeply regret these actions and have spent the past fifteen years attempting to rebuild my life in the service of the Church. There has been no repetition of this type of sinful misconduct on my part, and I am aware of no new complaints or reports being made to the Archdiocese relative to these past incidents.

In a spirit of reverence and obedience, I am willing to accept the Cardinal's desire that I refrain from all public ministry; however, in view of the fact that I remain completely dedicated to the priesthood, it is improper for the Cardinal by reason of canon 281 to permit the discontinuation of my medical benefits and the extreme limitation of my financial support which will eventually leave me completely destitute. It is the purpose of my petition, therefore, to ask that the Congregation for the Doctrine of the Faith direct His Eminence to provide me with sufficient remuneration, so as to allow me to meet my obligations and living expenses in accord with the financial report which I presented to the Cardinal with my original petition. In the alternative, I would request that the esteemed Congregation direct Cardinal Mahony to permit me to return to the public exercise of my priestly ministry by reason of the past resolution of these matters and in virtue of canon 1341, in order that I might be assured the rights and benefits afforded priests in ministry, including room and board. This will provide me with the ability to meet my financial needs through my service of the Christian faithful to whom I have dedicated my life and service as a priest.

I am prepared to cooperate fully in the Congregation's examination of this difficult matter. If it would be of assistance, I am prepared to provide Your Eminence with a report from my therapist who will attest to the fact that the issues of my past have been fully resolved and that I am not manifesting any problems at this time which would give rise to the repetition of misconduct of this nature. In closing, I do want to assure Your Eminence that I have provided Cardinal Mahony with a copy of this petition in its entirety.

With gratitude for the careful examination that this difficult matter will be afforded and with sentiments of the greatest respect and esteem, I am

Sincerely yours in Christ,

Reverend Gerald B. Fessard

cc: His Eminence, Roger Cardinal Mahony

TAB 18

408071

REDACTED

July 7, 2002

REDACTED

PERSONAL

3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

REDACTED

On February 14, 2002, and at your request, I resigned my offices at the Metropolitan Tribunal, discontinued my chaplaincy to the Maryknoll Sisters in Monrovia and also departed my residence there. This request on your part was made in light of the "zero tolerance policy" you were activating regarding past acts of sexual abuse committed by priests. At the time of my resignation, you assured me that I would be afforded a "generous" package of support to meet my financial needs.

Unfortunately, the financial support that I have been offered by the Archdiocese has been far less than "generous." In fact, it is completely inadequate to meet my needs due to the high cost of living here in Southern California. I have brought this matter to the attention of your REDACTED in a letter dated March 20, 2002, who assured me that this matter would be addressed. Subsequent correspondence that I have received from your REDACTED REDACTED, however, has clearly indicated that I am not going to receive additional financial relief and that, in fact, my benefits will most likely be reduced.

Most recently on May 8, 2002, I brought this entire matter to your attention requesting your intervention on my behalf, and I indicated to you that if this matter could not be resolved in an adequate fashion, I would have no choice but to address these matters in a formal canonical process. Since two months have passed with no word from your office or from you personally, I now have no choice but to present you with this petition in accord with canon 57 of the *Code of Canon Law*.

As I indicated in my letter of May 8, 2002, I resigned my offices in a spirit of reverence and obedience to you with the specific assurances that the rights associated with my support and benefits would be properly addressed. This, unfortunately, has not been the case. As the enclosed balance sheet indicates, I am continuing to slip more deeply into debt and am facing serious financial difficulties.

408072

This unjust deprivation of my adequate support and my removal from the public exercise of priestly ministry constitute, in fact, the imposition of penalties without due process of law. As such, this action violates the requirement of canon 221, §3, which provides that the Christian faithful have the right not to be punished with canonical penalties except according to the norm of law. The deprivation of my right of remuneration is, in fact, the imposition of an expiatory penalty as defined by canon 1336, §1, 2°.

I would also repeat what I stated in my letter of May 8, 2002, namely, that there is no basis in canon law for imposing canonical sanctions against me at this time. The incidents of which I was guilty fifteen years ago were addressed satisfactorily in the civil forum of the State of California and in the ecclesiastical forum in virtue of canon 1341. I participated in a program of assessment and therapy, and no further canonical action was deemed necessary upon my successful completion of this program. I would also point out that an additional criminal action at this time is not possible solely on the basis of Article 5, §2, of the Norms promulgated *motu proprio* in the Apostolic letter *Sacramentorum Sanctitatis Tutela*, issued by the Congregation for the Doctrine of the Faith which states,

> §2. Prescription runs according to the norm of can. 1362, §2, of the *Code of Canon Law* and can. 1152, §3, of the *Code of Canons of the Eastern Churches*. In the delict however spoken of in art. 4, §1, prescription begins to run from the day on which a minor reaches the eighteenth year of age.

The individuals whom I offended are, at the present time, all well over twenty-eight years of age; and I would point out that no victim from any past action has filed subsequent charges against me in either the civil or ecclesiastical forum. Rather, the actions which have been taken against me are based solely on the incidents of fifteen years ago which have received renewed attention due to the circumstances which the Church has been experiencing these past few months.

REDACTED , I deeply regret my past actions; and I have dealt with these offenses both spiritually and therapeutically. Through God's grace, I have been blessed with healing. The Holy Father himself addressed this possibility when he spoke to the Cardinals of the United States in April of this year addressing the issue of sexual abuse by members of the clergy and the need for norms addressing such offenses. Specifically, the Holy Father stated that

> ...even while recognizing how indispensable these criteria are, we cannot forget the power of Christian conversion, that radical decision to turn away from sin and back to God, which reaches to the depths of a person's soul and can work extraordinary change.

I consider myself fortunate to be numbered among those whom the Lord has changed.

While I continue to be willing to cooperate with REDACTED in arriving at a just and equitable resolution of these difficult circumstances, I am not willing to be deprived of my rights without due process of law. Therefore, by means of this petition, I am specifically requesting a decree by which I am either to be returned to the full exercise of my priestly ministry as is my right as a priest in good standing or, in the alternative, a decree directing that my support and benefits be adjusted in accord with the needs that I delineated in my letter to REDACTED on March 20, 2002. I also ask your assurances that my right to receive this remuneration will continue at least until such time as my retirement benefits become operative, and that I will continue to accrue these retirement benefits until that time in accord with the policies stated for the archdiocesan priests' Pension Plan.

I do regret the necessity of initiating this formal process, as I would much rather have resolved this matter in a spirit of fraternal cooperation. However, the recent correspondence from REDACTED and your own unwillingness to address the circumstances which I presented to you in my letter of May 8, 2002, have left me with no alternative but to take this action.

With sentiments of respect and esteem, I am

Sincerely yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

Enclosure: Income/Expense Record: February – June, 2002

TAB 19

408075



Archdiocese of Los Angeles [redacted] 3424 Wilshire Boulevard Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

16 November 2006

Reverend Gerald B. Fessard
[redacted]

Dear Gary,

Upon my return from Rome, I was appointed Promoter of Justice for the Archdiocese of Los Angeles and it is in that official capacity that I now contact you, to let you know that your case is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution.

In this regard, it is my unpleasant duty to inform you that due to the great scandal and harm that your actions have brought upon the Church, Cardinal Mahony does not believe that anything short of your dismissal from the clerical state will adequately redress the harm done, repair the scandal given or properly restore justice. In the *votum* that he will present to the Congregation, therefore, he plans on recommending that Pope Benedict XVI dismiss you *ex officio* from the clerical state. Of course, should you decide to request laicization from our Holy Father, the Cardinal will support your request in his *votum*.

I write now to invite you to send me any statement that you may wish to make regarding your case so that it can be included with the material that will be sent to the Congregation. If you would like to provide such a statement, please see that it is delivered to me ***no later than Monday, 4 December 2006***. And should you have any questions or concerns regarding this matter, please feel free to contact me at [redacted]; I will be happy to speak with you and to offer whatever assistance I can.

Gary, know of my prayers for you as we seek to bring this difficult situation to a proper close.

Sincerely yours in Christ,

[redacted]

cc: Msgr. Gabriel Gonzales



FILE COPY

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard

Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

21 November 2006

Reverend Gerald B. Fessard
REDACTED

Dear Gary,

Last week I sent you a letter at a REDACTED address that I had on file for you, but it has now been brought to my attention that the REDACTED address is no longer current for you. I have therefore attached to the present letter a copy of the previous correspondence, and I apologize for the oversight in using an outdated address.

The content of the letter is self-explanatory, so I shall not repeat it here. But I would ask you to take a moment and read the attached letter now before continuing with what I am writing here.

* * * * *

Hoping that you have taken a moment to read the attached correspondence, I continue.

Since the information conveyed in the previous letter has probably been received by you later than anticipated — because of the error in the mailing address — I am pleased to extend the deadline for you to respond to me. Accordingly, if you would like a statement to be included in the material to be sent to the Congregation for the Doctrine of the Faith regarding your case, please see that it is delivered to me ***no later than Monday, 11 December 2006.***

And, Gary, I would like to repeat that I am happy to speak with you regarding this matter if you should have any questions or concerns. Thanking you for your understanding and assuring you once more of my prayers, I remain

Sincerely yours in Christ,
REDACTED

408078

TAB 20

[redacted]

[redacted]

[redacted]

November 29, 2006

[redacted]

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

CONFIDENTIAL

Dear Steve:

I received your November 16 letter, with November 21 cover, last Wednesday, the day before Thanksgiving. I appreciate your offer to extend the time for my reply in view of the incorrect address to which the letter was originally sent.

I have received the news that Cardinal Mahony intends to seek from the Holy Father my dismissal *ex officio* from the clerical state with great surprise, shock and disappointment. I have always been convinced that my vocation to the ordained priesthood was a genuine call from God, confirmed by the Church after many years of testing and evaluation in seminary formation. Despite my failings and shortcomings, and despite my removal from public priestly ministry in 2002, it has been my hope to remain a priest for the rest of my life. That hope remains to this day. Thus my sadness and disappointment at the news contained in your letter, especially in that I have thus far cooperated fully with what I have been asked to do as part of repentance and recovery.

Before I can make a complete response, I must seek some further clarification of the options you outlined in your letter. Specifically, if I should choose to oppose the Cardinal's petition to the Congregation for the Doctrine of the Faith, and if his petition should be granted,, resulting in my dismissal from the clerical state, would I continue to receive the essential financial assistance that I am currently receiving from the Archdiocese? If, on the other hand, I were to request laicization voluntarily, would I continue to receive this essential financial support?

I would appreciate your prompt response to these questions, so that I may proceed with my response.

Fraternally in Christ,

Gerald B. Fessard

Reverend Gerald B. Fessard, M.A., J.C.L.

P.S. I wish to inform you that I have engaged [redacted] as my canonical advisor. A copy of my signed Mandate is enclosed herewith.

Cc: Msgr. Gabriel Gonzales

408079

MEMORANDUM

TO: FESSARD CASE FILE REDACTED

FROM: REDACTED

SUBJECT: PHONE CONVERSATION OF 4 DEC 06 WITH GARY FESSARD & HIS CANONICAL ADVISOR

DATE: 4 DECEMBER 2006

Having received a letter from Gary Fessard (GF) in response to my letter to him of 21 Nov 06, in which GF posed two specific questions for me to respond to, I phoned GF this morning and left a message on his answering machine.

GF called me back later, and I addressed his questions, telling him that the support he would continue to receive was a completely separate issue from whether he chose to petition voluntarily for laicization or not. I explained that his ongoing support would not be affected in the least by any decision he might make about whether to petition for laicization. The issue of ongoing support appears clearly to be GF's overriding concern in the resolution of his case.

GF then asked if he could include his canonical advisor (c.a.) in a conference call connection so that I could repeat to him what I had just told GF. I had no objection.

With GF and c.a. on the line, I repeated what I had just said. A discussion ensued about what would be in GF's best financial interests, in terms of support he would be guaranteed from the Archdiocese: would it be best for him to petition, or should he fight to remain a cleric?; which course of action would give him the greater leverage for claiming financial support from the Archdiocese? I interjected that whether GF were a cleric or not, the Archdiocese would certainly see to it that his needs were properly met. GF then seized the opportunity to say, "So, if I petition and am laicized, the Archdiocese will continue to give me the same support I am now receiving?" I responded, "I'm not saying that Gary. I'm saying that regardless of whether you are a cleric or not, the Archdiocese will meet its obligations to see that you are not in need." GF rejoined, "Oh, you mean they'll make sure I don't end up on the street!"

C.a. asked what the allegations against GF were. I responded that I was not the one who had prepared the materials for CDF, so I did not know precisely what the allegations were. (GF had made a previous recourse to CDF, and the Archdiocese used the services of an external canonist to deal with the case; now as the materials were being prepared to send to Rome, the services of this same canonist were used in preparing everything, including a draft of REDACTED REDACTED *votum*.) However, I did share that I knew that there were allegations of sexual abuse of minors, and that GF had been criminally charged and sentenced in relation to some of these accusations. I further told c.a. that GF would certainly know of the allegations against him, as these are what led to his being charged criminally and eventually to his resigning his various of-

fices in the Archdiocese and being placed on administrative leave. At that point, GF and c.a. started to engage in an involved conversation about GF's history with CDF and the Archdiocese in terms of GF's having been placed on leave, making recourse to CDF against the Archdiocese; they also talked about assignments that had been given to GF after he had completed the terms of his criminal sentence and been evaluated and received treatment. It was quite apparent in all this that c.a. was not familiar with any of the specifics of GF's case.

As the two continued, I asked whether it was necessary for me to be on the line while they talked about what probably should have been done much earlier, that is, while GF explained the details of his situation and history to c.a. I told GF and c.a. that all I really needed to know, as I had asked in my letter, is whether GF would like to make a statement about his case to be included with the materials that would be submitted to CDF and, since GF had raised the possibility of his petitioning voluntarily for laicization, whether he might wish to make such a petition; two simple questions. I then asked GF whether I could expect an answer to these questions within the time limit indicated.

C.a. interrupted saying, "How can I advise Fr. Fessard about whether he should petition for laicization or oppose the Cardinal's request for dismissal if I haven't seen the files?" I responded that GF should be able to let c.a. know what the substance of any files are, since he was directly involved, and also since the materials of his recourse to CDF would have dealt with the same allegations. C.a. then asked whether he should contact REDACTED or REDACTED about access to the files, I told him I did not know, and again suggested that he might want to talk with GF who should be familiar with the various details, again, since he was the one directly involved, the one who had to answer criminal charges, the one who was sentenced and had to fulfill the conditions imposed on him, who resigned his various offices at the Archdiocese in response to the allegations and was placed on administrative leave, etc. C.a. was not satisfied and said he would need time to discuss things with GF and would need to try to gain access to relevant files.

The question of the initial deadline of 11 Dec was then raised anew. I again told GF and c.a. that the questions were only two, and really very simple: did GF wish to petition voluntarily for laicization; and did he wish to make a statement regarding his case to be included with the material to be submitted to CDF? C.a. thought that maybe another week should be added to the deadline, making it 18 Dec instead of 11 Dec GF agreed that he could get back to me by that date, 18 Dec, if he had anything he wanted to say.

So, by mutual agreement of GF, c.a. and myself, the deadline for GF to respond to the invitation to make a statement to CDF and to decide whether he might wish to make a voluntary petition for laicization was extended one week, to 18 Dec 06.

408082

TAB 21

RECEIVED
DEC 7 2006
BY:

[redacted]

December 4, 2006

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear Monsignor Gonzales:

I am writing to you after having had a conference call with [redacted] and Father Fessard this afternoon, relating to [redacted] letter of November 16 and Father Fessard's return letter of November 29, 2006. You have copies of both.

[redacted] had phoned to answer the specific question of how Father Fessard's future support would be affected by his decision. [redacted] told us that Father Fessard's necessary financial support would continue and would not be affected by whether Father Fessard comes to be laicized voluntarily or involuntarily.

Before I can advise Father Fessard or place before him the alternatives and consequences of any action he may take regarding laicization, however, I need to know the case against him. [redacted] said that he did not know the details of the case, only that it involved canon 1395(2) allegations.

[redacted] letter of November 16 says that Father Fessard's case "is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution" and that the Cardinal's Votum will recommend that the Pope *ex officio* dismiss Father Fessard from the clerical state. This must mean that the required preliminary investigation has been completed.. The Cardinal's Votum will contain a recommendation for the imposition of the severest penalty that can be imposed on a cleric. Before any response to this matter can be made, it is imperative that the factual basis for this recommendation be known.

The letter states that this recommendation is "due to the great scandal and harm that your actions have brought upon the Church". We do not know precisely what action or actions are referred to, or for what canonical crime this penalty is sought.

[redacted] writes that if Father Fessard wishes to "make a statement regarding his case" it will be included in the material sent to the Congregation. It is difficult to know what meaningful statement regarding his case Father Fessard can make if he does not know what the case against him is, or what the material is that is being sent to Rome to support the Cardinal's recommendation.

Please supply me with the information necessary to know the factual basis on which the recommendation to the Congregation for laicization is based. Especially important would be to be to know what occurred in 2002 for which Father Fessard was removed from ministry, what investigation was undertaken and what was discovered in that investigation that now prompts the recommendation that he be dismissed from the clerical state.

[redacted] has kindly granted an extension to December 18 for a reply and/or statement from Father Fessard. Thank you for your prompt attention to this matter and for your assistance in providing me with information without which I cannot properly advise him.

Sincerely and respectfully yours,

[redacted]

[redacted] Father Gerald B. Fessard

Cc: [redacted]

His Eminence Roger Cardinal Mahony
Father Gerald B. Fessard

Archdiocese of Los Angeles

RREDACTED

3424 Wilshire Boulevard

Los Angeles California 90010-2202

December 8, 2006

REDACTED

Re: Reverend Gerald Fessard

Dear REDACTED

I write in reply to your letter of December 4, 2006 concerning the case of the above-named priest.

I enclose herewith a draft of the Case Data grid which will accompany the materials to be submitted to the Congregation for the Doctrine of the Faith (CDF). As you will note, there are at present eight individuals who have made specific allegations against Father Fessard.

With regard to your question as to why Father Fessard was removed from ministry in 2002, he himself should be able to answer that question for you, as this was fully discussed at a meeting that took place between REDACTED and Father Fessard with REDACTED REDACTED also present. To summarize the situation here, allegations had been made against Father Fessard that made it clear that Father Fessard could no longer continue in ministry. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from ministry of any priest guilty of even one act of sexual abuse of a minor. Father Fessard has admitted to acts of sexual misconduct and has willingly undergone treatment. In his 2002 recourse to the CDF against the Archdiocese, Father Fessard made reference to "incidents of sexual misconduct on my part that had occurred in 1987" and told the Congregation "I fully acknowledge my responsibility for these sinful actions." (*Letter of November 19, 2002, from Father Fessard to* REDACTED REDACTED , p. 1)

These circumstances contributed to REDACTED decision that Father Fessard had to be removed from ministry, and they likewise form the basis now for the REDACTED belief that the matter can be suitably resolved only by Father Fessard's voluntary laicization or his *ex officio* dismissal.

408085

Apart from this, your letter raises the issue of Father Fessard's future support. I am writing to confirm that Archdiocesan support will be determined in accord with the provisions of canon law.

Trusting that this information is useful and helps to clarify the issues raised in your letter, I remain

Sincerely yours in Christ,

REDACTED

cc: REDACTED
Reverend Gerald Fessard

408086

REDACTED

RECEIVED
DEC 14 2006
BY:

December 11, 2006

REDACTED

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear REDACTED

Thank you for your letter of December 8, 2006 and the three page chronology of events and the relevant information contained in both.

There is a significant error on page two under the heading *Civil Proceedings Against the Cleric.* The resolution of the 1987 case states that Father Fessard was "ordered to register as a sex offender". Father Fessard tells me that this is not true. When this assertion was first put out in writing by the Archdiocese, in 2002 I believe, Father Fessard had his civil attorney, REDACTED contact the Archdiocesan civil attorney, REDACTED , to correct this harmful error. I am told that the assertion was removed in one document but apparently not in every document in which it was stated, e.g. the one that you sent me. Because spreading this erroneous and defamatory statement could adversely affect where Father Fessard may live as well as generally causing him harm, I ask that the Archdiocese kindly see to it that the statement is removed from every document and record in which it may appear and that those to whom any such document may have been given be advised that it is not true and to delete. Please advise me when this has been done.

To advise Father Fessard properly regarding the Cardinal's invitation for him to request voluntary laicization, it would be helpful to know the following:

REDACTED

Father Fessard is 60 yeas old. This fact could well affect the kind of job he may be able to obtain and the realistic amount he could earn in his pre-retirement years, presuming that he remains healthy. He currently has a part time job managing a mobile home park and lives in a trailor at the park.

Although I appreciate REDACTED assurance that the Archdiocese would not allow Father Fessard to be without necessary financial aid, Canon 1350 (2) seems to limit that legal obligation to one who has been dismissed from the clerical state by the imposition of a penalty. Such would be the case were Father Fessard *ex officio* dismissed from the clerical state, but not if he voluntarily requested laicization. Could he be given an assurance that the legal obligation of canon 1350(2) would obtain in consideration of his voluntarily requesting laicization?

REDACTED has given until next Monday, December 18, 2006 for Father Fessard to decide whether to seek voluntary laicization. Perhaps we could have a few more days if necessary to discuss these matters. I will be available by phone except on Friday, December 15. REDACTED

Thank you again for your attention and solicitude,

Sincerely and respectfully,
REDACTED

Advocate for Father Gerald B. Fessard

cc: REDACTED
Father Gerald B. Fessard

408088

MEMORANDUM

TO: FESSARD CASE FILE REDACTED

FROM: REDACTED

SUBJECT: PHONE CONVERSATION OF 16 DEC 06 WITH GARY FESSARD'S CANONICAL ADVISOR

DATE: 16 DECEMBER 2006

Having received a copy of a letter addressed to Msgr. Gonzales by REDACTED the canonical advisor for Gary Fessard (GF), I left a message for REDACTED yesterday, letting him know that I would try to contact him today to respond to the questions he raised in his letter, since Msgr. Gonzales would be out of the office until after the holidays.

This morning, at approx. 9:40 a.m., REDACTED called me and we discussed the matters he had brought up in his letter. I told him that all reference to GF's registering as a sex offender would be removed from the Case Data Grid to be submitted to CDF; I did tell him that there was a copy of the Court Order requiring this kind of registration, but perhaps this was later changed, since GF was evidently not registered as a sex offender. I also informed him that GF would be eligible to start receiving pension benefits at age 65, per a letter from Msgr. Cox, though I could not tell him what the precise monthly amount would be (I told him that GF could get that info. from the Vicar for Clergy office). As far as continuing payment of health insurance premiums was concerned, I could not answer that question. But REDACTED did inform me that GF's employer (GF is working part-time as manager of the mobile home park where he lives) is paying half of the monthly premium. I also assured REDACTED that any necessary financial support would continue to be given in accordance with the norms of canon law.

As to the obligation of support for a dismissed cleric (canon 1350 §2) REDACTED wanted an assurance that should GF voluntarily seek laicization the Archdiocese would still fulfil this obligation, even though GF would not have been dismissed as a penalty. I told him that I was certain that in GF's case — which would be quite different from a priest who petitioned for laicization after leaving ministry and marrying or otherwise pursuing another life — a voluntary petition would in no way reduce the support that he would receive from the Archdiocese in comparison with what he might receive should he be dismissed as a penalty.

I then explained that REDACTED was determined to complete his *votum* in the case and send it on Tues., 19 Dec., and that if a petition was received from GF by the previously agreed-upon deadline of 18 Dec., REDACTED would support the petition in his *votum*, otherwise REDACTED would ask for GF's *ex officio* dismissal. REDACTED wanted to convince GF to submit a voluntary petition, but feared that he could not have such a petition in by the deadline. I sent, by fax, a sample petition to REDACTED (copy attached to present memo), and explained that if GF wanted to make a petition, and I was so informed by 18 Dec., then REDACTED votum could make refer-

ence to this fact, and support the petition, although the actual petition would not be sent in till after it was received. REDACTED said that he thought it was better that everything should be sent together, I responded that it certainly would be better, but explained once more that the deadline was 18 Dec. and that REDACTED *votum* would be sent out on 19 Dec. REDACTED wanted no mention made in the *votum* of an *ex officio* dismissal if GF should decide to petition. I told him that should a petition be received by the deadline, there would be no such mention and REDACTED *votum* would support the petition.

REDACTED said he would get in touch with GF and have GF contact me so that I could also send him the sample petition by fax. After concluding the call with REDACTED I prepared a sample petition and sent it to REDACTED via fax (approx. 10:00 a.m.).

* * * * *

It is now 4:40 p.m., Sat., 16 Dec., and I am preparing to leave the office. I have received no further call from REDACTED, nor any call from GF.

16 Dec 06

REDACTED

Attached is a sample petition for laicization. As you can see, it's really quite simple.

Any question or concerns, please contact me.

Ciao!

REDACTED

SAMPLE PETITION

Reverend Gerald B. FESSARD
REDACTED

[DATE]
REDACTED

Vatican City State

Your Holiness,

I, Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in 1972 and have been out of active priestly ministry since 2002. There is no hope of any return to ministry.

I thus present this petition for a dispensation from clerical obligations as an acknowledgment of the reality of my situation. Facing this reality is critical for my own spiritual welfare as well as for the greater good of the Church.

I hope and pray that you will respond favorably to this request of mine.

Sincerely yours in Christ,

Reverend Gerald B. Fessard

408092

TAB 22

408093

REDACTED

December 16, 2006

REDACTED

Apostolic Palace
Vatican City State, Europe

REDACTED

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

408094

COPY

[redacted]

Phone: [redacted] E-Mail: [redacted]

December 16, 2006

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed you will find copy of my letter to the Holy Father presenting my petition seeking dispensation from the obligations of the clerical state. The letter I received from [redacted] dated November 16th, stated that you will support in your *votum* my voluntary request for laicization.

This voluntary petition will eliminate any need for you to request my *ex officio* dismissal from the clerical state in your *votum.*

Asking a remembrance in your prayers and assuring you of mine in this holy season, I am

Yours sincerely in Christ,

Rev. Gerald B. Fessard

Cc: [redacted]
Msgr. Gabriel Gonzales

TAB 23

408096

FILE COPY

REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard
Los Angeles California 90010-2202

CASE: GERALD B. FESSARD
Accused of *Graviora Delicta*

CERTIFICATE OF AUTHENTICATION

By this instrument, I certify that the documentation herewith transmitted to the Congregation for the Doctrine of the Faith regarding the above-captioned case, beginning with the TABLE OF CONTENTS and ending with this CERTIFICATE, consists either of original writings or of exact duplicates of documents on file in the archives of the Curia of the Archdiocese of Los Angeles.

Given at Los Angeles, California, this 19th day of December in the year of our Lord 2006.

ARCHDIOCESAN SEAL

REDACTED

REDACTED

408097

COPY

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard

Los Angeles California 90010-2202

CASE: GERALD B. FESSARD
Accused of *Graviora Delicta*

CERTIFICATE OF AUTHENTICATION

By this instrument, I certify that the documentation herewith transmitted to the Congregation for the Doctrine of the Faith regarding the above-captioned case, beginning with the TABLE OF CONTENTS and ending with this CERTIFICATE, consists either of original writings or of exact duplicates of documents on file in the archives of the Curia of the Archdiocese of Los Angeles.

Given at Los Angeles, California, this 19th day of December in the year of our Lord 2006.

ARCHDIOCESAN SEAL

REDACTED

408098

ID	32
CMOB #	032
Case Name	Gerald Fessard
Active Case?	☐
Cleric Name	Fessard, Gerald
Cleric Age	56
Cleric Ethnicity	Anglo
Incardination	Los Angeles
Date Of Ordination	1972
Clergy Status	Inactive
Date Referred To Vicar	
Claimant	
Date Of Alleged Incident	
Investigation Complete	☐
Investigator Name	
Date Investigation Initiated	
Date Investigation Completed	
Case Disposition	
Intervention	☐
Description	Anglo, age 56; ordained 1972. Identified in L.A. Times article of August 25, 2002. Arrested in June 1987; pleaded no contest to molestation charges, two misdemeanor charges of soliciting lewd acts in a public place and battery; received 36 months probation. Submitted letter of resignation to Cardinal Mahony for offices held effective February 16, 2002; inactive leave; living privately.

Case Status

November 10, 2004	Msgr. Cox stated that he has been asked to petition for laicization. The case is being prepared for Rome.

Follow Up		
Follow Up Date		
Legal Proceedings		
Sent To Rome?	☐	***Date Sent To Rome***
Canonical Trial	☐	***Canonical Trial Date***
Canonical Disposition		
Page		

Clergy Assignment Record (Detailed)

Rev Gerald B. Fessard

REDACTED

Current Primary Assignment

Birth Date	7/14/1946	*Age:*	60
Birth Place	Little Rock, Arkansas, USA	*Deanery:*	22
Diaconate Ordination			
Priesthood Ordination	5/27/1972		
Diocese Name	Archdiocese of Los Angeles		
Date of Incardination	5/27/1972		
Religious Community			
Ritual Ascription	Latin		
Ministry Status	Inactive Leave		
Home phone	REDACTED		
Cell phone			
Seminary	St. John Seminary, Camarillo		
Ethnicity	English		

Language(s)	*Fluency*
Spanish	Conversational Basics

Assignment History

Assignment	*Beginning Date*	*Completion Date*
St. Charles Borromeo Catholic Church, North Hollywood Associate Pastor (Parochial Vicar), Active Service	6/12/1972	6/15/1975
St. Pius X Catholic Church, Santa Fe Springs Associate Pastor (Parochial Vicar), Active Service	6/16/1975	7/14/1977
Santa Clara High School, Oxnard Education-Teacher/Faculty, Active Service	7/15/1977	7/8/1980
Santa Clara Catholic Church, Oxnard, Resident	7/15/1977	7/8/1980
St. Bernard High School, Playa del Rey Education-Teacher/Faculty, Active Service	7/9/1980	7/8/1985
St. Clement Catholic Church, Santa Monica, Resident	7/9/1980	6/14/1981
St. Eugene Catholic Church, Los Angeles, Resident	6/15/1981	7/8/1985
Archdiocesan Catholic Center, Los Angeles Superintendent, Active Service, Associate, Elementary Schools	6/15/1981	7/8/1985
St. Paul Catholic Church, Los Angeles, Resident	7/9/1985	6/28/1986
St. Martin of Tours Catholic Church, Los Angeles, Resident	6/29/1986	1/30/1987

Queen of Angels Seminary, Mission Hills Dean of Studies, Active Service	2/1/1987	4/2/1987
In Transition	4/3/1987	7/7/1987
Sick Leave	7/8/1987	12/9/1987
St. Martin of Tours Catholic Church, Los Angeles Hospitality, Hospitality	12/10/1987	1/31/1988
Archdiocesan Catholic Center, Los Angeles Tribunal, Active Service, Tribunal Intern	12/14/1987	7/30/1989
St. Timothy Catholic Church, Los Angeles Associate Pastor (Parochial Vicar), Active Service	2/1/1988	7/30/1989
Tribunal, Study Assignment	8/1/1989	8/21/1991
Archdiocesan Catholic Center, Los Angeles Tribunal, Active Service	8/22/1991	2/16/2002
St. Luke the Evangelist Catholic Church, Temple City Associate Pastor (Parochial Vicar), Active Service	8/22/1991	9/25/1994
St. Gregory Nazianzen Catholic Church, Los Angeles Associate Pastor (Parochial Vicar), Active Service, Temporary	9/26/1994	2/4/1995
Maryknoll Convent, Monrovia Chaplain, Active Service	2/5/1995	2/16/2002
Maryknoll Convent, Monrovia Associate Pastor (Parochial Vicar), Active Service	2/5/1995	2/16/2002
Inactive Leave, NO FACULTIES. OUT OF PRIESTLY MINISTRY.	2/16/2002	

Background Information

Salutation	Father
Social Security Number	REDACTED
Citizenship	U.S.A.
Immigration Status	Citizen
Green Card End Date	
Payroll in lieu of stipends	☑
Enrolled in Pension Plan	☐
Receiving Pension?	☐
Retired in Rectory?	☐
Will Filed?	☑
Reference	☑
Power of Attorney Health Care	☐
Power of Attorney Finance	☑

REDACTED

409955

COPY

REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard Los Angeles California 90010-2202

CONFIDENTIAL

RE: Laicization of Gerald Buckley Fessard,
Annotation of Baptismal Record

21 May 2008

The Reverend Pastor or Parish Administrator
Saint Francis of Assisi Church
P. O. Box 786
Forrest City, AR 72336

Reverend and Dear Father/Parish Administrator,

Gerald Buckley Fessard, born on 14 July 1946 and baptized at Saint Francis Church on 4 August 1946, was ordained to the Sacred Priesthood on 27 May 1972 for the Archdiocese of Los Angeles. On 12 November 2007 our Holy Father Pope Benedict XVI, acceding to a request for laicization made to him by Father Fessard, dispensed Father Fessard from all obligations connected to Holy Orders and returned him to the lay state. The rescript of laicization was communicated to and accepted by Father Fessard on 19 December 2007, on which date it took effect.

I would now ask you kindly to add the annotation of Father Fessard's laicization, which took effect on 19 December 2007, to his baptismal record and to please notify me when said annotation has been duly made.

Thanking you for your assistance in this matter, and with prayerful good wishes, I am

Sincerely yours in Christ,

REDACTED

Certificate of Baptism

Saint Francis of Assisi Church

FORREST CITY, ARKANSAS

This is to Certify

That Gerald Buckley Kraemer

Child of REDACTED

and REDACTED

born in Little Rock (CITY) Arkansas (STATE)

on the 14th day of July 19 44

was Baptized

on the 4th day of August 19 44

According to the Rite of the Roman Catholic Church

by the Rev. REDACTED

the Sponsors being REDACTED

as appears from the Baptismal Register of this Church.

Dated March 31, 1961

REDACTED

NO. 314 F. J. REMEY CO. INC. N.Y.

407812

REDACTED

CONFIDENTIAL

Phone:REDACTED

E-Mail:REDACTED

January 7, 2008

REDACTED
REDACTED – Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear REDACTED

I trust that by now you have received the two authentic copies, with my signatures as requested, of the rescript recently sent by the Congregation for the Doctrine of the Faith in response to my petition.

I am writing to call to your attention what would appear to be an inaccurate rendering, in the "unofficial English translation" of the rescript which you provided with your 14 December letter, of a point contained in the first part of the rescript of dispensation.

> **Paragraph 1b)** of the rescript states: "Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul *amissionem status clericalis*."
>
> The "unofficial English translation" translates "*amissionem status clericalis*" as "dismissal from the clerical state." The Latin dictionary *Babylon.com* and other online Latin dictionaries which I consulted (alas, my dictionaries are packed away) translate *amissio* as "loss" and its verb form *amittere* as "to lose." This term "loss" is the term used in both the CLSA English translation and the *Code of Canon Law Annotated* published jointly by the Canon Law Faculties of the Universities of Navarra and St. Paul (Ottawa) of the heading of Book II, Title III, Caput IV of the *Codex Iuris Canonici*, which is entitled, *"De amissione status clericalis."*
>
> Similarly, Canon 290 under the above title reads: *"Clericus tamen statum clericalem amittit . . ."* and is translated by each English translation referred to above as: "A cleric, however, loses the clerical state . . . "
>
> In contrast, for the penalty of dismissal from the clerical state, the same canon in 2° uses the specific term *"dimissio"* rather than *"amissio."* The granting of a rescript of dispensation in response to the petition of a cleric, as outlined in 3° of Canon 290, is thus clearly governed by the term *"amissio"* ("loss") rather than the

term *"dimissio"* ("dismissal"), which would be the object of a judicial decision or an administrative decree, rather than a rescript.

I bring this to your attention not as an intellectual or linguistic exercise, as I know we both have more interesting things to do, but rather to clarify the nature of the rescript as a response to my petition, granting the dispensation from celibacy which brings with it the "loss of the clerical state," rather than the imposition of the penalty of "dismissal from the clerical state," as you will recall underscoring in your cover letter to me of 14 December 2007.

It would seem that your "unofficial translation" could well be emended for the benefit of petitioners to reflect this distinction in similar future cases, should there be any. More important for me, however, is that any writing or speaking by others on this subject, which might be based on your translation of the rescript, would accurately reflect the actual sense of the Latin original, in keeping with the law of the Church. Thus, I may be satisfied that, at least in this respect, whatever may be left of my good name may be preserved, in keeping with the prescriptions of Canon 220.

Thank you very kindly for your attention to this matter.

Fraternally in Christ,

Gerald B. Fessard, M.A., J.C.L.

Cc: Cardinal Roger Mahony
Msgr. Gabriel Gonzales
REDACTED

CONGREGATIO PRO DOCTRINA FIDEI

Prot. N. 223/02

Angelorum in California
(Los Angeles, U.S.A.)

D.nus **Gerald B. FESSARD,** presbyter huius archidioecesis, humiliter petit dispensationem ab omnibus oneribus sacrae Ordinationi conexis

---

Summus Pontifex Benedictus, Papa XVI

Die 12 m. Novembris a. 2007

habita relatione de casu a Congregatione pro Doctrina Fidei, precibus praedicti sacerdotis annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum a competenti Ordinario oratori quamprimum notificandum est:

a) Eius effectum sortitur a momento notificationis;
b) Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Nunquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;
c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;
d) Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis fieri potest vel personaliter ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas praescriptas" (*registered*). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

3. Notitia concessae dispensationis adnotetur in Libris baptizatorum paroeciae oratoris.

4. Quod attinet, si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriore apparatu.

5. Auctoritas ecclesiastica, cui spectat Rescriptum oratori rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

407815

a) Sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;

b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neve munere administratoris paroecialis fungi;

c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo fungi nequit;

d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;

e) *in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradendo Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.*

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dispensati fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dispensationis necnon causam canonicam divulgare.

7. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 12 m. Novembris a. 2007

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretris

Dies notificationis XIX Decembris MMVII

Subsignatio Presbyteri in signum acceptionis

Subsignatio Ordinarii

407816

CONGREGATIO PRO DOCTRINA FIDEI

Prot. N. 223/02

Angelorum in California
(Los Angeles, U.S.A.)

D.nus **Gerald B. FESSARD,** presbyter huius archidioecesis, humiliter petit dispensationem ab omnibus oneribus sacrae Ordinationi conexis

---

Summus Pontifex Benedictus, Papa XVI

Die 12 m. Novembris a. 2007

habita relatione de casu a Congregatione pro Doctrina Fidei, precibus praedicti sacerdotis annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum a competenti Ordinario oratori quamprimum notificandum est:

a) Eius effectum sortitur a momento notificationis;
b) Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Nunquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;
c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;
d) Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis fieri potest vel personaliter ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas praescriptas" (*registered*). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

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a) Sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;
b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neve munere administratoris paroecialis fungi;
c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo fungi nequit;
d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;
e) *in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradendo Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.*

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dispensati fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dispensationis necnon causam canonicam divulgare.

7. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 12 m. Novembris a. 2007

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretris

Dies notificationis XIX Decembris MMVII

Subsignatio Presbyteri in signum acceptionis

Subsignatio Ordinarii

407818

APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3687

No. 4078

This No. Should Be Prefixed to the Answer

December 27, 2006

REDACTED

Office of the Vicar for Canonical Services
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

Dear Monsignor Zak:

I acknowledge your kind letter of December 19, 2006, with enclosure.

Please assure Cardinal Mahony that his letter with attachments addressed to His Eminence William J. Cardinal Levada, Prefect of the Congregation for the Doctrine of the Faith regarding the **Rev. Gerald B. Fessard** will be transmitted through the diplomatic pouch.

With cordial regards and prayerful best wishes, I am,

Sincerely yours in Christ,

Archbishop Pietro Sambi
Apostolic Nuncio

407819

Archdiocese of Los Angeles

Office of the
Vicar for Canonical Services
Phone: (213) 637-7888
Fax: (213) 637-6888

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

19 December 2006

RE: Rev. Gerald B. Fessard
Accused of *Graviora Delicta*

The Most Reverend Pietro Sambi
Apostolic Nuncio to the United States of America
3339 Massachusetts Avenue, N.W.
Washington, D.C. 20008

Your Excellency,

Enclosed is a letter, with attachments, from Cardinal Roger Michael Mahony, Archbishop of Los Angeles, addressed to Cardinal William Joseph Levada, Prefect of the Congregation for the Doctrine of the Faith, regarding the above-captioned case. Included also is a check in the amount of $500 made out to the Congregation, as payment of the customary *taxa* for processing the case.

I respectfully ask you to forward these items to the Congregation.

With gratitude for your kind assistance, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,
REDACTED

(enclosures)

407820

Check Date: 14.Dec.2006 ACCLA Check No. 204887

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
727 VC	12.Dec.2006	00156880	500.00	0.00	500.00

Vendor Number	Name		Total Discounts	
0000002838	Congregation For The Doctrine		$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
	14.Dec.2006	$500.00	$0.00	$500.00

The Roman Catholic Archbishop of Los Angeles
(A Corporation Sole)
3424 Wilshire Blvd.
Los Angeles, California 90010-2241
(213) 637-7691

Wachovia Bank, N.A.
Greenville, South Carolina
In Cooperation with & Payable If Desired at
Wells Fargo Bank, N.A.
4759-613201 67-1/532

204887

Date: December 14, 2006

Pay Amount: $ 500.00***

Pay ****FIVE HUNDRED AND XX / 100 US DOLLAR****

407821

To The Order Of

REDACTED

CONGREGATION FOR THE DOCTRINE
of the Faith
Piazza Del S Offizio II
00120 Vatican City

⑈204887⑈ REDACTED

FILE COPY

Archdiocese of Los Angeles
Office of the Archbishop
3424 Wilshire Boulevard
Los Angeles California 90010-2202

Re: Prot. No. 223/02
The Reverend Gerald B. Fessard
Graviora Delicta and Petition for
Dispensation from Clerical Obligations

19 December 2006

Cardinal William Joseph Levada
Prefect of the Congregation for the Doctrine of the Faith
00120 Vatican City

Your Eminence:

I write in reference to the above-named priest of the Archdiocese whose case is already known to your Dicastery since Fessard had made recourse previously to the Congregation concerning the level of sustenance accorded him by the Archdiocese of Los Angeles.

Upon being informed of my intention to bring his case to a definitive resolution, and that in the absence of a voluntary petition from him requesting laicization from our Holy Father I would seek his *ex officio* dismissal from the clerical state, Father Fessard, with the advice of his canonical advocate, chose freely to petition Pope Benedict XVI for a dispensation from the obligations of the Sacred Order of Presbyter and those related to the clerical state.

That petition is enclosed with this letter, and enclosed also is my *votum*, addressed to His Holiness, regarding the matter together with a complete report of Father Fessard's situation. As you will see, the *votum* expressed is definitively in favor of granting the aforesaid petition.

I now seek the assistance of your good offices in forwarding the aforementioned documents to their high destination.

Grateful for your kind help, and with the assurance of my prayers, I remain

Sincerely yours in Christ,

Roger Cardinal Mahony

Cardinal Roger M. Mahony
Archbishop of Los Angeles

407822

(enclosures)

FILE COPY

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2202

VOTUM OF THE ORDINARY OF INCARDINATION
CARDINAL ROGER MICHAEL MAHONY
ARCHBISHOP OF LOS ANGELES IN CALIFORNIA

Re: The Reverend Gerald B. Fessard
Graviora Delicta and Petition for
Dispensation from Clerical Obligations

19 December 2006

His Holiness Pope Benedict XVI
Apostolic Palace
00120 Vatican City

Your Holiness:

It is with sadness and a sense of urgency that I write with regard to the petition for dispensation from the obligations of Holy Orders and clerical celibacy voluntarily made by the Reverend Gerald B. Fessard, a priest of the Archdiocese of Los Angeles in California. I herewith transmit his petition to Your Holiness together with a complete report of Father Fessard's situation.

Father Fessard was born on 14 July 1946 and ordained to the priesthood for the Archdiocese of Los Angeles in 1972. From ordination until he was placed on administrative leave in 2002, he held numerous assignments in the Archdiocese: Parochial Vicar in two parishes, faculty member at two high schools, Superintendent for Elementary Schools, Dean of Studies at the archdiocesan minor seminary, and staff member of the Archdiocesan Tribunal. Both prior to and continuing after priestly ordination, Fessard has had a history of sexual misconduct: more than twenty individuals are alleged to have been abused by Fessard, including both male and female victims, and five high school seminarians. Since 1987, the Archdiocese has had to face the serious scandal caused by Fessard. Eight individuals have formally denounced him for sexually abusing them while they were minors. In addition to these specific denunciations, there are credible allegations that Fessard also acted in an inappropriate manner with young girls during one of his assignments. All of these incidents point to a pattern of child molestation on the part of Fessard, and it is for this reason that I support his petition for laicization.

407823

The Archdiocese first received five individual denunciations against Father Fessard in 1987. The victims were all males: two were 15 years of age, two were 16 years of age and one was 17 years of age at the time the alleged abuse occurred. Three of the victims accused Fessard of taking them on an outing to a mountain cabin, getting in bed with them, embracing them and rubbing their backs while in bed. The other two accused him of touching their genitals while they were asleep, thus awakening them. It is important to note that all these victims were minor seminarians at Our Lady Queen of Angels Seminary in Mission Hills while Fessard was the Dean of Studies at the seminary. As a consequence of these allegations, Fessard was removed from his responsibilities at the Seminary and was sent for treatment to Jemez Springs, New Mexico, under the care of the Servants of the Paraclete. Additionally, he was charge by civil authorities with four criminal counts: two counts of battery and two counts of child molestation. These charges were later reduced by plea bargaining to one count of battery and one count of child molestation, to which Fessard pled no contest (*nolo contendere*). He was sentenced to three years probation with the requirements that he receive psychological treatment, that he not engage in employment where he might have direct access to minors and that he not be in the presence of minors without the presence of another responsible adult.

Following his treatment at Jemez Springs, Father Fessard was assigned to the Archdiocesan Tribunal in December of 1987 and was eventually sent for graduate studies in canon law at the Pontifical University of St. Thomas Aquinas in Rome. After completing his studies and returning to the Archdiocese with a licentiate in canon law, he was again assigned to the Archdiocesan Tribunal. The decision to release him for further studies and eventually assign him to the Archdiocesan Tribunal was based on the fact that in April of 1989, in a report from a licensed clinical psychologist, the professional opinion was expressed that Fessard did not require any further psychotherapy and that there were no psychological indications that he would repeat the sexual mistakes of the past.

In 1994, the Archdiocese received a report from Saint Luke Parish, Temple City, concerning Father Fessard's behavior. It was alleged that he had acted in an inappropriate fashion, while under the influence of alcohol, with young female parishioners. The teenaged girls contended that Fessard patted one of them on the buttocks, rubbed another on her shoulders and back, and made the girls uncomfortable. The girls were interviewed by the Vicar for Clergy, together with their parents, and their allegations were deemed credible. As a result of these new allegations, Fessard was asked to undergo a more thorough evaluation at Saint Luke Institute in Maryland.

During this evaluation, Father Fessard reported that prior to his ordination he had sexually molested ten to twelve minors, and that after ordination there were occasions when he had touched minors. The report from the Saint Luke Institute indicated that Fessard had a long history of sexual contact with predominantly male, but also female, minors between the ages of twelve and fourteen. The report diagnosed Fessard as an ephebophile who is sexually attracted to both males and females; it made the recommendation that he have no contact with minors and that he continue outpatient therapy. As a result of that evaluation, Fessard resumed his responsibilities in the Archdiocesan Tribunal and was assigned in residence to the Maryknoll Convent in Monrovia, California.

In 1997 a new allegation was made against Father Fessard by REDACTED REDACTED, who claimed that at the age of eight or nine he was molested at his home by Fessard. He stated that Fessard entered his bedroom, pulled back the bedcovers, fondled his genitals, pulled on his penis and masturbated him. This allegation was deemed credible, given Fessard's history and pattern of sexual misconduct. In 2000, after Fessard had celebrated a Sunday Mass, a young man approached the pastor and informed him that Fessard was a child molester and wanted to know why he was allowed to say Mass. This young man was a member of the music group assisting at Mass and became very animated when Fessard entered the church; he repeatedly told the music director that Fessard was a child molester, and this comment was overhead by at least one choir member.

By 2002 it had become clear that because of the accusations against him, Father Fessard could no longer continue in ministry of any kind. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from ministry of any priest guilty of even one act of sexual abuse of a minor. After discussing his situation fully at a meeting where he, I and my Vicar for Clergy were present, Fessard resigned his ecclesiastical offices and was prohibited from priestly ministry. He was invited to make a petition for voluntary laicization at that time, but did not do so. He received from the Archdiocese a transition payment and continues to receive a monthly salary as well as financial assistance for health insurance premiums.

In 2003, a criminal investigation of Fessard's sexual abuse of minors led to his case being brought before the Los Angeles County Grand Jury and to archdiocesan records being subpoenaed. However, when the U.S. Supreme Court struck down legislation enacted by the California legislature allowing for the criminal prosecution of certain crimes for which the statute of limitations had expired, the criminal investigation and Grand Jury subpoena were abated. He was invited to reconsider his decision not to petition for laicization, and he again chose not to petition.

Civil lawsuits were not affected by this decision of the U.S. Supreme Court and in 2004, two further denunciations against Father Fessard came to light when a lawsuit for damages related to sexual abuse by Fessard was filed against the Archdiocese. The complainants were two individuals, REDACTED and REDACTED REDACTED REDACTED claimed that, when he was eleven years old, Fessard inappropriately touched him, masturbated himself while fondling REDACTED genitals and kissed REDACTED during this sexual encounter. REDACTED claimed that, when he was fifteen, Fessard forcibly masturbated him, fondled his genitals and massaged his body.

It is important to note that Father Fessard's sexual abuse of minors was not an isolated incident but involved more than twenty individuals with multiple occurrences over a period of many years. He is in fact a sexual predator and can no longer function in ministry as a priest. The urgency of restoring good order in our community cannot be overstated, nor can the need to look to the well-being of the Church be overly emphasized. These considerations are the primary motivation in the formulation of my *votum* in support of Fessard's petition for laicization.

Moreover, the crimes committed by Father Fessard are notorious and he has admitted his deeds both to civil and to ecclesiastical authorities. Given his multiple and serious sexual abuse of minors, his yet unknown number of victims and the need to protect the welfare of children and to safeguard the reputation of the Church, and given as well the fact that he has no possibility of ever returning to active ministry, and that pending civil litigation in which he is involved may generate negative publicity, his laicization could only redound to the good of the Church. Moreover, Fessard is himself convinced that a return to the lay state would also be in his best interest, with a view to his spiritual welfare. For these reasons, it appears imperative that the Church move promptly to protect the faithful from further danger of outrage and scandal by decisively terminating Father Fessard's status as a priest. Accordingly, I hereby offer my *votum* definitively IN FAVOR OF GRANTING THE AFORESAID PETITION.

With gratitude for Your Holiness' kind attention to this matter, and with the assurance of my prayers, I remain

Sincerely yours in Christ,



Cardinal Roger M. Mahony
Archbishop of Los Angeles

(enclosures)

407826

REDACTED

December 16, 2006

His Holiness
Pope Benedict XVI
Apostolic Palace
Vatican City State, Europe

REDACTED

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

407827

(*unofficial translation*)

CONGREGATION FOR THE DOCTRINE OF THE FAITH

Prot. No. 223/02

Archdiocese of Los Angeles in California
(Los Angeles, USA)

Mr. **Gerald B. FESSARD**, a priest of this Archdiocese, has humbly requested a dispensation from all obligations connected with Sacred Orders.

The Supreme Pontiff Pope Benedict XVI,

on the 12th day of November in the year 2007,

having considered the report on this Case from the Congregation for the Doctrine of the Faith, granted the request of the aforesaid priest according to the following indications:

1. The petitioner is to be notified as soon as possible of this Rescript of Dispensation by a competent Ordinary:

a) The Rescript takes effect at the moment of notification;
b) Inseparably contained in the Rescript is the dispensation from sacred celibacy and at the same time dismissal from the clerical state. It is never licit for the petitioner to separate these two elements, that is, to accept the one and to refuse the other;
c) If the petitioner is a religious, the Rescript also grants a dispensation from vows;
d) Moreover, the Rescript also includes the absolution from censures, insofar as this may be necessary.

2. Notification of the dispensation may be made either personally by the Ordinary or his delegate, or through an ecclesiastical registrar or by registered mail. The Ordinary must return one copy properly signed by the petitioner in attestation of having received the Rescript of dispensation and having accepted its precepts.

3. Notice of the granting of the dispensation is to be recorded in the baptismal registry of the petitioner's parish.

4. With regard to the celebration of a canonical marriage, if such should come to pass, the norms established in the Code of Canon Law are to be observed. However, the Ordinary is to see to it that the celebration takes place with due precaution and without outward ostentation.

5. The ecclesiastical authority whose responsibility it is to notify the petitioner of this Rescript is to exhort him earnestly to participate in the life of the People of God in a manner that is in keeping with his new state of life, to be an edifying example and, in this way, to show himself to be an upright son of the Church. At the same time, however, those things that follow are to be made known to him.

407828

a) The dispensed priest, by the very fact of his dispensation, loses the rights proper to the clerical state and he loses as well all ecclesiastical dignities and offices; nor is he bound any longer by the other obligations connected with the clerical state;

b) he remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986 §2 of the Code of Canon Law, wherefore he may not give a homily, nor is he permitted to take on a directorial role in any administrative office dealing with pastoral matters or to perform the duties of parish administrator;

c) likewise he may not perform any functions in Seminaries or equivalent Institutions; in other Institutions of higher studies that depend in any way upon ecclesiastical authority he may not discharge any administrative function;

d) in Institutions of higher studies that do not depend upon ecclesiastical authority he may not teach any theological discipline;

e) in Institutions of elementary or secondary studies that depend upon ecclesiastical authority he may not discharge any administrative function or teaching office; in the same type of Institutions that do not depend upon ecclesiastical authority the dismissed and dispensed priest is bound by the same prescriptions against teaching religion.

6. Insofar as possible, the Ordinary shall see to it that the new condition of the dispensed priest is not a source of scandal for the faithful. Nonetheless, if there is any danger of the abuse of minors, the Ordinary may make known the fact of this dispensation as well as the canonical reasons for it.

7. In a timely manner, the competent Ordinary shall make a brief report to the Congregation concerning the notification that has been made, and should there be any astonishment on the part of the faithful, he shall provide them with a careful explanation.

Anything whatsoever to the contrary notwithstanding.

From the Offices of the Congregation, on the 12th day of November in the year 2007

(signature)
Cardinal William LEVADA
Prefect

(signature)
Angelo AMATO, SDB
Titular Archbishop of Sila
Secretary

Date of notification: _____

Signature of priest in attestation of acceptance

Signature of Ordinary

407829

CONGREGATIO
PRO DOCTRINA FIDEI

00120 Città del Vaticano,
Palazzo del S. Uffizio

19 November 2007

PROT. N. 223/2002 - 26241
(In responsione fiat mentio huius numeri)

CONFIDENTIAL

REDACTED

On 8 January 2007, this Congregation received the petition of the **Rev. Gerald B. FESSARD**, a priest of the Archdiocese of Los Angeles who has admitted to having sexually abused minors and has requested from the Holy Father the grace of dispensation from all the obligations of the clerical state, including celibacy.

This Dicastery, after having carefully examined the documents of the present case and in light of the *votum* expressed by REDACTED decided on 13 October 2007 to forward the petition to the Holy Father for his decision. Subsequently, on 12 November 2007, REDACTED granted the Rev. Gerald B. Fessard the grace of dispensation *iuxta petita*, from all priestly obligations, including celibacy. Enclosed you will find two copies of the relevant Decree. REDACTED is kindly requested to ensure that the priest is duly notified thereof. I would ask you also to return one of the signed copies of the Decree to this Office.

With gratitude and prayerful best wishes, I remain

Fraternally yours in Christ,
REDACTED

(Enclosures)

REDACTED

3424 Wilshire Boulevard
Los Angeles, CA 90010-2202
UNITED STATES OF AMERICA

407830

Archdiocese of Los Angeles

[redacted]

3424 Wilshire Boulevard Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

14 December 2007

Gary B. Fessard
17024 S. Western Aven., #44
Gardena, CA 90247

Dear Gary,

As a follow-up to our telephone conversation of 12 December 2007, I am sending you enclosed herewith the two original copies of the rescript granting your petition of laicization as well as a notarized authentic copy of the document. Also, although I suspect it is not necessary in your case, I am including an unofficial English translation of the rescript.

I would ask you kindly to sign both original copies of the rescript in the appropriate place and to date them as well in the space provided (please spell out the name of the month rather than using a number). After they are signed and dated, the two original copies should be sent back to me in the stamped pre-addressed envelope included; the signature the Ordinary will be added once the documents are returned. You should retain for yourself the notarized authentic photocopy of the document as well as the English translation.

Again, as was mentioned on the phone, the Vicar for Clergy has been informed of the granting of the dispensation, and there have been no changes in the support you are currently receiving from the diocese. Should changes be necessary in the future, I am sure that the Vicar will make contact with you to discuss this with you beforehand. In any event, as was communicated both to you and to the Holy See when your petition was forwarded with the Cardinal's *votum*, although you were not dismissed from the clerical state as a penalty, in your case the diocese will observe the norm contained in canon 1350 §2.

Finally, in the name of Cardinal Mahony I earnestly exhort you to participate in the life of the Church in a manner that is in keeping with your new state, and I would also draw your particular attention to those items listed in no. 5 a-e of the rescript.

Once more, Gary, should you have any questions or concerns, please feel free to contact me at [redacted]; I will be happy to offer whatever assistance I can.

With prayerful good wishes during this Advent season, I am

Sincerely yours in Christ our Savior,

[redacted]

CONGREGATIO PRO DOCTRINA FIDEI

Prot. N. 223/02

Angelorum in California
(Los Angeles, U.S.A.)

D.nus **Gerald B. FESSARD,** presbyter huius archidioecesis, humiliter petit dispensationem ab omnibus oneribus sacrae Ordinationi conexis

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REDACTED

Die 12 m. Novembris a. 2007

habita relatione de casu a Congregatione pro Doctrina Fidei, precibus praedicti sacerdotis annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum a competenti Ordinario oratori quamprimum notificandum est:

a) Eius effectum sortitur a momento notificationis;
b) Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Nunquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;
c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;
d) Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis fieri potest vel personaliter ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas praescriptas" (*registered*). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

3. Notitia concessae dispensationis adnotetur in Libris baptizatorum paroeciae oratoris.

4. Quod attinet, si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriore apparatu.

5. Auctoritas ecclesiastica, cui spectat Rescriptum oratori rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

a) Sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;
b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neve munere administratoris paroecialis fungi;
c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo fungi nequit;
d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;
e) *in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradendo Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.*

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dispensati fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dispensationis necnon causam canonicam divulgare.

7. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 12 m. Novembris a. 2007

REDACTED

_____

Dies notificationis_____

_____ _____

Subsignatio Presbyteri in signum acceptionis

Subsignatio Ordinarii

407833

(*unofficial translation*)

CONGREGATION FOR THE DOCTRINE OF THE FAITH

Prot. No. 223/02

Archdiocese of Los Angeles in California
(Los Angeles, USA)

Mr. **Gerald B. FESSARD**, a priest of this Archdiocese, has humbly requested a dispensation from all obligations connected with Sacred Orders.

REDACTED

on the 12th day of December in the year 2007,

having considered the report on this Case from the Congregation for the Doctrine of the Faith, granted the request of the aforesaid priest according to the following indications:

1. The petitioner is to be notified as soon as possible of this Rescript of Dispensation by a competent Ordinary:

a) The Rescript takes effect at the moment of notification;
b) Inseparably contained in the Rescript is the dispensation from sacred celibacy and at the same time dismissal from the clerical state. It is never licit for the petitioner to separate these two elements, that is, to accept the one and to refuse the other;
c) If the petitioner is a religious, the Rescript also grants a dispensation from vows;
d) Moreover, the Rescript also includes the absolution from censures, insofar as this may be necessary.

2. Notification of the dispensation may be made either personally by the Ordinary or his delegate, or through an ecclesiastical registrar or by registered mail. The Ordinary must return one copy properly signed by the petitioner in attestation of having received the Rescript of dispensation and having accepted its precepts.

3. Notice of the granting of the dispensation is to be recorded in the baptismal registry of the petitioner's parish.

4. With regard to the celebration of a canonical marriage, if such should come to pass, the norms established in the Code of Canon Law are to be observed. However, the Ordinary is to see to it that the celebration takes place with due precaution and without outward ostentation.

5. The ecclesiastical authority whose responsibility it is to notify the petitioner of this Rescript is to exhort him earnestly to participate in the life of the People of God in a manner that is in keeping with his new state of life, to be an edifying example and, in this way, to show himself to be an upright son of the Church. At the same time, however, those things that follow are to be made known to him.

a) *The dispensed priest, by the very fact of his dispensation, loses the rights proper to the clerical state and he loses as well all ecclesiastical dignities and offices; nor is he bound any longer by the other obligations connected with the clerical state;*
b) *he remains excluded from the exercise of the sacred ministry, with the exceptions mentioned in canons 976 and 986 §2 of the Code of Canon Law, wherefore he may not give a homily, nor is he permitted to take on a directorial role in any administrative office dealing with pastoral matters or to perform the duties of parish administrator;*
c) *likewise he may not perform any functions in Seminaries or equivalent Institutions; in other Institutions of higher studies that depend in any way upon ecclesiastical authority he may not discharge any administrative function;*
d) *in Institutions of higher studies that do not depend upon ecclesiastical authority he may not teach any theological discipline;*
e) *in Institutions of elementary or secondary studies that depend upon ecclesiastical authority he may not discharge any administrative function or teaching office; in the same type of Institutions that do not depend upon ecclesiastical authority the dismissed and dispensed priest is bound by the same prescriptions against teaching religion.*

6. Insofar as possible, the Ordinary shall see to it that the new condition of the dispensed priest is not a source of scandal for the faithful. Nonetheless, if there is any danger of the abuse of minors, the Ordinary may make known the fact of this dispensation as well as the canonical reasons for it.

7. In a timely manner, the competent Ordinary shall make a brief report to the Congregation concerning the notification that has been made, and should there be any astonishment on the part of the faithful, he shall provide them with a careful explanation.

Anything whatsoever to the contrary notwithstanding.

From the Offices of the Congregation, on the 12th day of December in the year 2007

REDACTED

_____

Date of notification: _____

_____ _____

Signature of priest in attestation of acceptance Signature of Ordinary

407835

RECEIVED
FEB 6 2007
BY:

REDACTED

Phone: REDACTED

E-Mail: REDACTED

February 2, 2007

REDACTED

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

CONFIDENTIAL

Dear REDACTED

On December 11, 2006 my REDACTED wrote to you concerning an erroneous assertion contained in the "Case Data grid" which you sent to him in your December 8 letter. This grid included as part of the section entitled "Civil Proceedings Against the Cleric" the statement that, in the civil Court's disposition of the case, I was "ordered to register as a sex offender." Mr. REDACTED asked that this erroneous statement be corrected in every document and record in which it might appear. As of this date, Mr. REDACTED has not received a reply from you or an answer to the other questions raised in his December 11 letter.

To recap some history concerning this important matter:

- Registration as a sex offender was not a part of the sentence of probation that I was given in June 1987, and I was specifically informed of this by my attorney, REDACTED In my regular contacts with my probation officer during the three-year probation period, the matter was never an issue, and the Court noted the full and successful completion of probation in 1990, when it ordered the plea vacated and the record of conviction expunged.

- I first became aware of the error on this subject that was contained in archdiocesan records as a result of your letter to me dated December 13, 2004, in which you enclosed a draft of a "proffer" that had been submitted to the Court and plaintiffs' attorneys and which REDACTED was considering for release to the public. In your letter you offered me the opportunity to review and correct any errors in the content of this proffer.

- Following your invitation, on December 17, 2004 I phoned REDACTED one of the Archdiocese's attorneys, and called his attention to the fact that the proffer included the erroneous assertion of the registration requirement. I asked that this information be immediately and fully retracted. REDACTED asked me to make the necessary corrections on the draft and fax it to him. This I did later that afternoon.

- At this time, I also contacted REDACTED my civil attorney, to inform him of this problem. We agreed that he would phone REDACTED to verify that there was never any

such requirement of registration in my case. He informed me that he did have this discussion with REDACTED and that the correction would be made.

- I had reason to think that the issue had been laid to rest inasmuch as, in a later version of the proffer which came to my attention (I believe it was on the archdiocesan web site), the statement appeared that "Father Fessard's attorney has stated that he was not required to register as a sex offender."

Thus, when he received your December 8, 2006 letter, Mr. REDACTED expressed to me his surprise to find this "requirement" included in the database information you had supplied him, since I had not brought any such requirement to his attention. I too was surprised, to say the least, and recounted to him the above history. He therefore wrote to you as summarized above.

Given the continued appearance of this erroneous and defamatory information in the Archdiocese's database records as evidenced in the grid you sent to Mr. REDACTED I hereby ask the following:

1. Please give me a copy of the final proffer, as corrected, that was given to the Court, to plaintiffs' attorneys, or published in any other way to interested parties or generally to the public, as I was led to expect in the contact you invited me to make with Mr. REDACTED;

2. If this error was corrected, why was a copy given to Mr. REDACTED still indicating the requirement to register?

3. Please supply to me the document and/or name of the person(s) to be identified as the original source of the assertion appearing in your database or in any other form that I was ever required to register as a sex offender;

4. Please give me assurance by documentary and other pertinent reference that this error has been fully corrected with any and all persons and media in which it was conveyed.

In closing, REDACTED I hope you will agree that this matter is of extreme importance. I look forward to your prompt reply to the questions and requests I have made.

Sincerely in Christ,

Gerald B. Fessard

(Rev.) Gerald B. Fessard

cc: REDACTED

407837

COPY

REDACTED

Phone: REDACTED

E-Mail: REDACTED

February 2, 2007

Rev. Msgr. Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

CONFIDENTIAL

Dear Gabe:

On December 11, 2006 my canonical advisor, REDACTED wrote to you concerning an erroneous assertion contained in the "Case Data grid" which you sent to him in your December 8 letter. This grid included as part of the section entitled "Civil Proceedings Against the Cleric" the statement that, in the civil Court's disposition of the case, I was "ordered to register as a sex offender." Mr. REDACTED asked that this erroneous statement be corrected in every document and record in which it might appear. As of this date, Mr. REDACTED has not received a reply from you or an answer to the other questions raised in his December 11 letter.

To recap some history concerning this important matter:

- Registration as a sex offender was not a part of the sentence of probation that I was given in June 1987, and I was specifically informed of this by my attorney, Mr. REDACTED In my regular contacts with my probation officer during the three-year probation period, the matter was never an issue, and the Court noted the full and successful completion of probation in 1990, when it ordered the plea vacated and the record of conviction expunged.

- I first became aware of the error on this subject that was contained in archdiocesan records as a result of your letter to me dated December 13, 2004, in which you enclosed a draft of a "proffer" that had been submitted to the Court and plaintiffs' attorneys and which the Cardinal was considering for release to the public. In your letter you offered me the opportunity to review and correct any errors in the content of this proffer.

- Following your invitation, on December 17, 2004 I phoned REDACTED , one of the Archdiocese's attorneys, and called his attention to the fact that the proffer included the erroneous assertion of the registration requirement. I asked that this information be immediately and fully retracted. REDACTED asked me to make the necessary corrections on the draft and fax it to him. This I did later that afternoon.

- At this time, I also contacted Mr. REDACTED my civil attorney, to inform him of this problem. We agreed that he would phone REDACTED to verify that there was never any

such requirement of registration in my case. He informed me that he did have this discussion with REDACTED and that the correction would be made.

- I had reason to think that the issue had been laid to rest inasmuch as, in a later version of the proffer which came to my attention (I believe it was on the archdiocesan web site), the statement appeared that "Father Fessard's attorney has stated that he was not required to register as a sex offender."

Thus, when he received your December 8, 2006 letter, Mr. REDACTED expressed to me his surprise to find this "requirement" included in the database information you had supplied him, since I had not brought any such requirement to his attention. I too was surprised, to say the least, and recounted to him the above history. He therefore wrote to you as summarized above.

Given the continued appearance of this erroneous and defamatory information in the Archdiocese's database records as evidenced in the grid you sent to Mr. REDACTED I hereby ask the following:

1. Please give me a copy of the final proffer, as corrected, that was given to the Court, to plaintiffs' attorneys, or published in any other way to interested parties or generally to the public, as I was led to expect in the contact you invited me to make with REDACTEDREDACTED

2. If this error was corrected, why was a copy given to Mr. REDACTED still indicating the requirement to register?

3. Please supply to me the document and/or name of the person(s) to be identified as the original source of the assertion appearing in your database or in any other form that I was ever required to register as a sex offender;

4. Please give me assurance by documentary and other pertinent reference that this error has been fully corrected with any and all persons and media in which it was conveyed.

In closing, Gabe, I hope you will agree that this matter is of extreme importance. I look forward to your prompt reply to the questions and requests I have made.

Sincerely in Christ,

(Rev.) Gerald B. Fessard

cc: Cardinal Roger Mahony ✓
REDACTED

407839

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
630 VC	12.Feb.2007	00160238	982.50	0.00	[redacted]

Gerard

Vendor Number	Name		Total Discounts	
0000022231	REDACTED		$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
	27.Feb.2007	$982.50	$0.00	[redacted]

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The Roman Catholic Archbishop of Los Angeles
(A Corporation Sole)
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Los Angeles, California 90010-2241
(213) 637-7691

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Greenville, South Carolina
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4759-613201 67-1/532

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407840

To The
Order Of

REDACTED

REDACTED

⑈207537⑈ REDACTED

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Voucher # 160238

February 12. 2007

STATEMENT OF ACCOUNT

01112-530002

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Canonical services for Reverend Gerald B. Fessard

Date(2006-2007)	Activity	Hours	Minutes
Nov. 26 :	REDACTED		
Nov. 27 :			
Dec. 4 :			
Dec. 11 :			
Dec. 16-19 :			
Feb. 2, 2007 :			

REDACTED

407841

Approved
REDACTED
2/14/2007

DIOCESE	Los Angeles in California
NAME OF ORDINARY	Cardinal Roger M. Mahony
CDF PROT. NO.	223/02
NAME OF CLERIC	Reverend Gerald B. Fessard

PERSONAL DETAILS OF THE CLERIC	**Date of Birth**	14 July 1946	**Age**	60
	Ordination	27 May 1972	**Years of ministry**	30

ORIGINAL DIOCESE OF INCARDINATION	Los Angeles in California
MINISTRY IN/TRANSFER TO OTHER DIOCESE	None
CONTACT ADDRESS OF THE CLERIC	REDACTED
CANONICAL ADVISOR	REDACTED

ASSIGNMENTS

Years	Parish	Location	Appointment
1972-1975	St. Charles Borromeo	North Hollywood, California	Parochial Vicar
1975-1977	St. Pius X	Santa Fe Springs, California	Parochial Vicar
1977-1980	Santa Clara High School	Oxnard, California	Faculty
1977-1980	Santa Clara Church	Oxnard, California	Residence
1980-1985	St. Bernard High School	Playa del Rey, California	Faculty
1980-1981	St. Clement Church	Santa Monica, California	Residence
1981-1985	Archdiocesan Chancery	Los Angeles, California	Superintendent for Elementary Schools
1981-1985	St. Eugene	Los Angeles, California	Residence
1985-1986	St. Paul	Los Angeles, California	Residence
1986-1987	St. Martin of Tours	Los Angeles, California	Residence
1987	Our Lady Queen of Angeles Seminary	Los Angeles, California	Faculty, Dean of Discipline
1987-1988	In transition; sick leave		
1988-1989	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal
1988-1989	St. Timothy	Los Angeles, California	Residence

407842

1989-1991	Educational leave, studies for JCL at Pontifical University of St. Thomas Aquinas in Rome		
1991-1996	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal, Judge
1991-1994	St. Luke the Evangelist	Temple City, California	Residence
1994-1995	St. Gregory Nazianzen	Los Angeles, California	Residence
1995-2002	Maryknoll Convent	Monrovia, California	Chaplain and Residence
1996-2002	Archdiocesan Chancery	Los Angeles, California	Adjutant Judicial Vicar
2002	Inactive Leave		

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Imputable Acts	Denunciation
1987	REDACTED	16	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	17	Touching genital area while sleeping in seminary dormitory	1987
1987	REDACTED	16	Touching genital area while sleeping in seminary dormitory	1987
1972	REDACTED	10	Entered the bedroom of the minor, pulled the covers off the bed, fondled genitals, pulled on the young man's penis and masturbated him	1997
1976 - 1977	REDACTED	11	Inappropriate touching, masturbating himself while fondling genitals of victim, kissing	2004 (lawsuit)
1979	REDACTED	15	Fondling the genitals of the victim and masturbating him, rubbing and massaging his body, getting into bed with him	2004 (lawsuit)

CIVIL PROCEEDINGS AGAINST THE CLERIC

Year	Type/Case	Resolution
1987	Criminal case for soliciting lewd acts and battery	Pled "no contest" (*nolo contendere*); sentenced to 36 months probation
2003	Criminal investigation and Grand Jury Subpoena	Dismissed because of the expiration of the criminal statute of limitations
2004	Civil lawsuit for damages (BC307230)	Pending

407843

MEASURES TAKEN BY THE DIOCESE	
Year	**Type of Measure**
1987	Treatment at Servants of the Paraclete Center, Jemez Springs, New Mexico
1994	Evaluation at the St. Luke Institute, Suitland, Maryland

SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC

Provided transitional assistance of $30,000 and was maintained on the Archdiocesan medical insurance program for six months; presently receiving monthly priest's salary as well as monthly charitable contribution from Archbishop towards payment of health insurance premiums; vested in the Priests' Pension Plan and will be able to draw a monthly benefit beginning at age 65

RESPONSE/RECOURSE MADE BY THE CLERIC	
Year	**Type of Response/Recourse**
2003	Fessard made recourse to the Congregation for the Doctrine of the Faith, Prot. No. 223/02-17038, against the level of support that he was receiving from the Archdiocese; CDF denied his recourse
2006	On 16 December 2006, Fessard addressed a petition to Pope Benedict XVI seeking voluntary laicization, taking this step as an acknowledgment of his situation and for his spiritual and physical well-being as well as for the greater good of the Church

BISHOP'S *VOTUM*

Given Father Fessard's history of sexual abuse of minors, his yet unknown number of victims and the need to protect the welfare of children and to safeguard the reputation of the Church, and given as well the fact that he has no possibility of ever returning to active ministry, and that pending civil litigation in which he is involved may generate negative publicity, his laicization could only redound to the good of the Church. Moreover, Fessard is himself convinced that a return to the lay state would also be in his best interest, with a view to his spiritual welfare.

For these reasons, it appears imperative that the Church move promptly to protect the faithful from further danger of outrage and scandal by decisively terminating Father Fessard's status as a priest. Accordingly, and since Fessard has voluntarily petitioned the Holy Father for laicization, the *votum* expressed is definitively IN FAVOR OF GRANTING THE AFORESAID PETITION.

407844

The Situation of the Reverend Gerald B. Fessard,

Accused of *Graviora Delicta*

PREFACE

The case of Father Fessard has been effectively summarized in the preceding Case Data Grid. As readily shown by **Attachment 1** (Letters of 25 June 2002 from the Congregation for the Doctrine of the Faith), this case is already known to the Congregation for the Doctrine of the Faith since Fessard had made recourse previously to that Dicastery concerning the level of sustenance accorded him by the Archdiocese of Los Angeles, a recourse that was denied by the Congregation.

HISTORY

Father Fessard was born on 14 July 1946 and ordained to the priesthood for the Archdiocese of Los Angeles in 1972. From ordination until he was placed on administrative leave in 2002, he held numerous assignments in the Archdiocese: Parochial Vicar in two parishes, faculty member at two high schools, Superintendent for Elementary Schools, Dean of Studies at the archdiocesan minor seminary, and staff member of the Archdiocesan Tribunal. Prior to and continuing after priestly ordination, Father Fessard has had a history of sexual misconduct. **Attachment 2** (History of Fessard Case) contains a summary of Fessard's history of sexual misconduct and the treatment he underwent in this regard; as this history indicates, more than twenty individuals are alleged to have been abused by Fessard, including both male and female victims, and five high school seminarians.

Since 1987, the Archdiocese has had to face the serious scandal caused by Father Fessard. Eight individuals have denounced him for sexually abusing them while they were minors. In addition to these specific denunciations, the attached documentation contains material indicating that Father Fessard also acted in an inappropriate manner with young girls during his assignment at Saint Luke Parish, Temple City, California. All of these incidents point to a pattern of child molestation on the part of Fessard, and it is for this reason that I am seeking his dismissal from the clerical state. In order that the gravity of the matter may be properly considered, I wish to review briefly the history of the accusations against Father Fessard.

The Archdiocese first received five individual denunciations against Father Fessard in 1987. As shown in **Attachment 3** (Notes regarding Denunciation of Fessard by Five Minor Seminarians), these victims include REDACTED REDACTED. Three of these victims — REDACTED REDACTED — accused Father Fessard of taking them on an outing to a mountain cabin, getting in bed with them, embracing them and rubbing their backs while in bed. REDACTED REDACTED accused Fessard of touching their genitals while they were asleep, thus awakening them. It is important to note that all of these victims were minor seminarians at Our Lady Queen of Angels Seminary in Mission Hills while Fessard was the Dean of Studies at the seminary. As a consequence of these allegations, Fessard was removed from his responsibilities at Our Lady Queen of Angels Seminary and sent for treatment at Jemez Springs, New Mexico, under the care of the Servants of the Paraclete; see **Attachment 4** (Letters to and from Servants of the Paraclete, 1987). Civil authorities charged him with four criminal counts: two counts of battery and two counts of child molestation. These charges were later reduced by plea bargaining to one count of

battery and one count of child molestation, to which Fessard pled no contest (*nolo contendere*). As shown in **Attachment 5** (Court Order of 23 June 1987 Imposing a Suspended Sentence and Formal Probation), he was sentenced to three years probation with the requirements that he receive psychological treatment, that he not engage in employment where he might have direct access to minors and that he not be in the presence of minors without the presence of another responsible adult.

Following his treatment at Jemez Springs, Father Fessard was assigned to the Archdiocesan Tribunal in December of 1987 and was eventually sent for graduate studies in canon law at the Pontifical University of St. Thomas Aquinas in Rome. After completing his studies and returning to the Archdiocese with a licentiate in canon law, Fessard was again assigned to the Archdiocesan Tribunal with residence first at Saint Luke Parish in Temple City, and then at Saint Gregory Nazianzen Parish in Los Angeles. The decision to release him for further studies and eventually assign him to the Archdiocesan Tribunal with parish residence was based on the fact that in April of 1989, in a report from a licensed clinical psychologist — see **Attachment 6** (Letter of 28 April 1989 from Licensed Clinical Psychologist) — the professional opinion was expressed that Fessard did not require any further psychotherapy and that there were no psychological indications that he would repeat the "sexual mistakes of the past."

In 1994, the Archdiocese received a report from Saint Luke Parish, Temple City, concerning Father Fessard's behavior. It was alleged that he had acted in an inappropriate fashion, while under the influence of alcohol, with young female parishioners. As shown in **Attachment 7** (Report of Statements by St. Luke Parishioners, 30 August 1994), the teenagers contended that Fessard patted one of them on the buttocks, rubbed another on her shoulders and back, and made the girls uncomfortable. The girls were interviewed by the Vicar for Clergy, together with their parents, and their allegations were deemed credible. As a result of these new allegations, Fessard was asked to undergo a more thorough evaluation at Saint Luke Institute in Maryland.

During this evaluation, Father Fessard reported that prior to his ordination he had sexually molested ten to twelve minors, and that after ordination there were occasions when he had touched minors. The report from the Saint Luke Institute, see **Attachment 8** (Report from St. Luke Institute, 5 December 1994), indicated that Fessard had a long history of sexual contact with predominantly male, but also female, minors between the ages of twelve and fourteen. The report diagnosed Fessard as an ephebophile, sexually attracted to both males and females; it made the recommendation that he have no contact with minors and that he continue outpatient therapy. As a result of this evaluation, Fessard resumed his responsibilities in the Archdiocesan Tribunal and was assigned in residence to the Maryknoll Convent in Monrovia, California.

In 1997 new allegations were made against Father Fessard by REDACTED as shown in **Attachment 9** (Report of Meeting with REDACTED 27 October 1997) who contended that at the age of eight or nine he was molested at his home by Fessard. He stated that Fessard entered his bedroom, pulled back the bedcovers, fondled his genitals, pulled on his penis and masturbated him. These allegations were deemed credible, given Fessard's history and pattern of sexual misconduct. As can be seen in **Attachment 10** (Memorandum of 2 November 2000), in 2000, after Fessard had celebrated the 11:00 a.m. Mass, a young man approached the pastor and informed him that Fessard was a child molester and wanted to know why he was allowed to say Mass. This young man was a member of the music group assisting at Mass and became very animated when Fessard entered the church; he repeatedly told the music director that Fessard was a child molester, and this comment was overhead by at least one choir member.

By 2002 it had become clear that because of the accusations against him, Father Fessard could no longer continue in ministry of any kind. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from minis-

try of any priest guilty of even one act of sexual abuse of a minor. After discussing Fessard's situation fully at a meeting where he, I and my REDACTED were present, Fessard resigned his ecclesiastical offices — as shown in **Attachment 11** (Letters of February 2002) — and was prohibited from priestly ministry. As can be seen in **Attachment 12** (Letter of 8 March 2002), he was invited at that time to consider making a voluntary petition for laicization, but he did not do so. He was given a generous transition payment from the Archdiocese and continues to receive a monthly salary as well as financial assistance for health insurance premiums.

In 2003, as **Attachment 13** (Grand Jury Subpoena of 4 April 2003) shows, a criminal investigation of Fessard's sexual abuse of minors led to his case being brought before the Los Angeles County Grand Jury and archdiocesan records being subpoenaed. However, when the U.S. Supreme Court struck down legislation enacted by the California legislature allowing for the criminal prosecution of certain crimes for which the statute of limitations had expired, the criminal investigation and Grand Jury subpoena were abated. Nonetheless, a civil lawsuit not affected by this decision of the Supreme Court is still pending, and the Archdiocese is being sued for damages resulting from Fessard's sexual abuse. As seen in **Attachment 14** (Letter of 14 July 2003), he was invited to reconsider his earlier decision not to petition for laicization, and he again chose not to petition.

In 2004, two further denunciations against Father Fessard became known to the Archdiocese when a lawsuit for damages related to sexual abuse by Fessard was filed. The complainants were two individuals, REDACTED and REDACTED As shown in **Attachment 15** (Mediation Documentation for REDACTED claimed that, when he was eleven years old, Father Fessard inappropriately touched him, masturbated himself while fondling REDACTED genitals and kissed REDACTED during this sexual encounter. As seen in **Attachment 16** (Mediation Documentation for REDACTED claimed that, when he was fifteen, Father Fessard forcibly masturbated him, fondled his genitals and massaged his body.

It is this clear that Fessard's sexual abuse of minors was not an isolated incident but involved more than twenty individuals with multiple occurrences over a period of many years. He is in fact a sexual predator and can no longer function in ministry as a priest. The urgency of restoring good order in our community cannot be overstated, nor can the need to look to the well-being of the Church be overly emphasized. Moreover, the crimes committed are notorious and Father Fessard has admitted his deeds both to civil and to ecclesiastical authorities. In addition to the "no contest" plea he entered in the criminal proceedings against him, in his 2002 recourse to the Congregation against this Archdiocese, Fessard — as can be seen in **Attachment 17** (Letter of 19 November 2002) — wrote to then-Cardinal Ratzinger of "incidents of sexual misconduct on my part that had occurred in 1987" and he stated that "I fully acknowledge my responsibility for these sinful actions" (*op. cit.*, p. 1). In another letter of that same year, this time addressed to Cardinal Mahony — found in **Attachment 18** (Letter of 7 July 2002) — Fessard wrote: "The incidents of which I was guilty fifteen years ago were addressed satisfactorily in the civil forum of the State of California ... I deeply regret my past actions; and I have dealt with these offenses both spiritually and therapeutically" (*op. cit.*, p. 2). The public good therefore requires that Fessard no longer be recognized by the Church as a cleric or a priest. In this specific case:

- as detailed in this Report and in the attached documentation, Fessard has a history of sexual misconduct with minors; he is a notorious child abuser who has victimized a significant number of young people over an extended period of time;
- Fessard has abused young men who were preparing for the possibility of ordination to the Priesthood, thus endangering their potential vocation and placing their formation in substantial jeopardy;

- Fessard has publicly declared no contest (*nolo contendere)* to the criminal charges involving the seminarians at Our Lady Queen of Angels Seminary; his plea led to the Court placing him on probation with the order that undergo psychological treatment and avoid all unsupervised contact with minors;
- there are founded suspicions that further victims have not yet come forward, since Fessard admits involvement with more than twenty minors, less than ten of whom have so far made formal allegations against him;
- there is pending civil litigation in the State of California involving Fessard that will likely result in significant monetary damages to the Archdiocese;
- the climate in the United States does not permit a priest who has committed even one act of sexual abuse of a minor to be in ministry;
- the welfare of the Christian faithful and the reputation of the Church demand that this action be taken since Fessard's continuing status as a cleric and a priest will bring only greater detriment to this local Church.

As shown in **Attachment 19** (Letters of 16 and 21 November 2006), Father Fessard was informed in November 2006 of the intention to bring his case to a definitive solution and that, in light of his previous refusals to request voluntary laicization, his *ex officio* dismissal from the clerical state would be sought. He was invited to make a statement to be included with the material that would be sent to the Congregation for the Doctrine of the Faith regarding his case and he was reminded a final time of the possibility of making a voluntary petition for laicization. An initial deadline was set for him to respond, which — as can be seen in **Attachment 20** (Letter of 29 November 2006; Memorandum of 4 December 2006) — was extended upon a request advanced both by him and by his canonical advisor. There were further exchanges between the Archdiocese and Fessard's canonical advisor, as shown in **Attachment 21** (Letters of 4, 8 and 11 December 2006; Memorandum of 16 December 2006), and in the end Fessard chose to petition Pope Benedict XVI voluntarily for laicization, as can be seen in **Attachment 22** (Petition for Laicization and Letter Requesting Transmittal).

It may also be pointed out here that Father Fessard's overriding concern in the resolution of his case has been the level of sustenance he will continue to receive from the Archdiocese. This is amply borne out in the exchanges documented in **Attachments 20** and **21**, already cited above, and also in the recourse he made to the Congregation in 2002. For this reason, it bears noting what has been conveyed to him in this regard: namely, should his petition for laicization be granted, even though the obligation of canon 1350 §2 will not technically apply, since Fessard will not have been dismissed from the clerical state as a penalty, the Archdiocese will still fulfil the obligation contained in that canon, wherefore it will do all that it can to ensure that Fessard does not lack anything truly required for his decent support.

CONCLUSION

In conclusion then, given Father Fessard's multiple and serious sexual abuse of minors, his yet unknown number of victims and the need to protect the welfare of children and to safeguard the reputation of the Church, it appears that his petition to Pope Benedict XVI requesting a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state should be granted.

407848

REDACTED

December 16, 2006

REDACTED

Apostolic Palace
Vatican City State, Europe

Your Holiness,

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

407849

REDACTED

COPY

December 16, 2006

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed you will find copy of my letter to the Holy Father presenting my petition seeking dispensation from the obligations of the clerical state. The letter I received from REDACTED dated November 16th, stated that you will support in your *votum* my voluntary request for laicization.

This voluntary petition will eliminate any need for you to request my *ex officio* dismissal from the clerical state in your *votum*.

Asking a remembrance in your prayers and assuring you of mine in this holy season, I am

Yours sincerely in Christ,

Rev. Gerald B. Fessard

Cc: REDACTED
Msgr. Gabriel Gonzales

407850

MEMORANDUM

TO: FESSARD CASE FILE REDACTED

FROM: REDACTED

SUBJECT: PHONE CONVERSATION OF 16 DEC 06 WITH GARY FESSARD'S CANONICAL ADVISOR

DATE: 16 DECEMBER 2006

Having received a copy of a letter addressed to Msgr. Gonzales by REDACTED the canonical advisor for Gary Fessard (GF), I left a message for REDACTED yesterday, letting him know that I would try to contact him today to respond to the questions he raised in his letter, since Msgr. Gonzales would be out of the office until after the holidays.

This morning, at approx. 9:40 a.m., REDACTED called me and we discussed the matters he had brought up in his letter. I told him that all reference to GF's registering as a sex offender would be removed from the Case Data Grid to be submitted to CDF; I did tell him that there was a copy of the Court Order requiring this kind of registration, but perhaps this was later changed, since GF was evidently not registered as a sex offender. I also informed him that GF would be eligible to start receiving pension benefits at age 65, per a letter from Msgr. Cox, though I could not tell him what the precise monthly amount would be (I told him that GF could get that info. from the Vicar for Clergy office). As far as continuing payment of health insurance premiums was concerned, I could not answer that question. But REDACTED did inform me that GF's employer (GF is working part-time as manager of the mobile home park where he lives) is paying half of the monthly premium. I also assured REDACTED that any necessary financial support would continue to be given in accordance with the norms of canon law.

As to the obligation of support for a dismissed cleric (canon 1350 §2) REDACTED wanted an assurance that should GF voluntarily seek laicization the Archdiocese would still fulfil this obligation, even though GF would not have been dismissed as a penalty. I told him that I was certain that in GF's case — which would be quite different from a priest who petitioned for laicization after leaving ministry and marrying or otherwise pursuing another life — a voluntary petition would in no way reduce the support that he would receive from the Archdiocese in comparison with what he might receive should he be dismissed as a penalty.

I then explained that Card. Mahony was determined to complete his *votum* in the case and send it on Tues., 19 Dec., and that if a petition was received from GF by the previously agreed-upon deadline of 18 Dec., the Card. would support the petition in his *votum*, otherwise the Card. would ask for GF's *ex officio* dismissal. REDACTED wanted to convince GF to submit a voluntary petition, but feared that he could not have such a petition in by the deadline. I sent, by fax, a sample petition to REDACTED. (copy attached to present memo), and explained that if GF wanted to make a petition, and I was so informed by 18 Dec., then the Card.'s votum could make refer-

ence to this fact, and support the petition, although the actual petition would not be sent in till after it was received. REDACTED said that he thought it was better that everything should be sent together, I responded that it certainly would be better, but explained once more that the deadline was 18 Dec. and that the Card.'s *votum* would be sent out on 19 Dec. REDACTED wanted no mention made in the *votum* of an *ex officio* dismissal if GF should decide to petition. I told him that should a petition be received by the deadline, there would be no such mention and the Card.'s *votum* would support the petition.

REDACTED said he would get in touch with GF and have GF contact me so that I could also send him the sample petition by fax. After concluding the call with REDACTED I prepared a sample petition and sent it to REDACTED via fax (approx. 10:00 a.m.).

* * * * *

It is now 4:40 p.m., Sat., 16 Dec., and I am preparing to leave the office. I have received no further call from REDACTED, nor any call from GF.

16 Dec 06

REDACTED

—

Attached is a sample petition for laicization. As you can see, it's really quite simple.

Any questions or concerns, please contact me.

Ciao!

REDACTED

SAMPLE PETITION

Reverend Gerald B. FESSARD
REDACTED

[DATE]

His Holiness
Pope Benedict XVI
Vatican City State

Your Holiness,

I, Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in 1972 and have been out of active priestly ministry since 2002. There is no hope of any return to ministry.

I thus present this petition for a dispensation from clerical obligations as an acknowledgment of the reality of my situation. Facing this reality is critical for my own spiritual welfare as well as for the greater good of the Church.

I hope and pray that you will respond favorably to this request of mine.

Sincerely yours in Christ,

Reverend Gerald B. Fessard

407854

Archdiocese of Los Angeles [redacted] 3424 Wilshire Boulevard Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

16 November 2006

Reverend Gerald B. Fessard
[redacted]

Dear [redacted]

Upon my return from Rome, I was appointed Promoter of Justice for the Archdiocese of Los Angeles and it is in that official capacity that I now contact you, to let you know that your case is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution.

In this regard, it is my unpleasant duty to inform you that due to the great scandal and harm that your actions have brought upon the Church, Cardinal Mahony does not believe that anything short of your dismissal from the clerical state will adequately redress the harm done, repair the scandal given or properly restore justice. In the *votum* that he will present to the Congregation, therefore, he plans on recommending that Pope Benedict XVI dismiss you *ex officio* from the clerical state. Of course, should you decide to request laicization from our Holy Father, the Cardinal will support your request in his *votum*.

I write now to invite you to send me any statement that you may wish to make regarding your case so that it can be included with the material that will be sent to the Congregation. If you would like to provide such a statement, please see that it is delivered to me ***no later than Monday, 4 December 2006***. And should you have any questions or concerns regarding this matter, please feel free to contact me at 213-637-7925; I will be happy to speak with you and to offer whatever assistance I can.

Gary, know of my prayers for you as we seek to bring this difficult situation to a proper close.

Sincerely yours in Christ,

[redacted]

407855

cc: Msgr. Gabriel Gonzales

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles California 90010-2241

Vicar canonical

Reverend Gerald B. Fessard

REDACTED

CONFIDENTIAL

RETURN TO SENDER
FWDG ORDER EXPIRED

NIXIE 927 1 02 12/13/06
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 90010224199 *0462-12087-16-45

407856

CCI 004360

RCALA 003844

REDACTED

December 11, 2006

REDACTED

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear Monsignor Gonzales:

Thank you for your letter of December 8, 2006 and the three page chronology of events and the relevant information contained in both.

There is a significant error on page two under the heading *Civil Proceedings Against the Cleric.* The resolution of the 1987 case states that Father Fessard was "ordered to register as a sex offender". Father Fessard tells me that this is not true. When this assertion was first put out in writing by the Archdiocese, in 2002 I believe, Father Fessard had his civil attorney, REDACTED contact the Archdiocesan civil attorney, REDACTED to correct this harmful error. I am told that the assertion was removed in one document but apparently not in every document in which it was stated, e.g. the one that you sent me. Because spreading this erroneous and defamatory statement could adversely affect where Father Fessard may live as well as generally causing him harm, I ask that the Archdiocese kindly see to it that the statement is removed from every document and record in which it may appear and that those to whom any such document may have been given be advised that it is not true and to delete. Please advise me when this has been done.

To advise Father Fessard properly regarding the Cardinal's invitation for him to request voluntary laicization, it would be helpful to know the following:

REDACTED

REDACTED December 11, 2006, page two

Father Fessard is 60 yeas old. This fact could well affect the kind of job he may be able to obtain and the realistic amount he could earn in his pre-retirement years, presuming that he remains healthy. He currently has a part time job managing a mobile home park and lives in a trailor at the park.

Although I appreciate REDACTED assurance that the Archdiocese would not allow Father Fessard to be without necessary financial aid, Canon 1350 (2) seems to limit that legal obligation to one who has been dismissed from the clerical state by the imposition of a penalty. Such would be the case were Father Fessard *ex officio* dismissed from the clerical state, but not if he voluntarily requested laicization. Could he be given an assurance that the legal obligation of canon 1350(2) would obtain in consideration of his voluntarily requesting laicization?

REDACTED has given until next Monday, December 18, 2006 for Father Fessard to decide whether to seek voluntary laicization. Perhaps we could have a few more days if necessary to discuss these matters. I will be available by phone except on Friday, December 15. (REDACTED

Thank you again for your attention and solicitude,

Sincerely and respectfully,

REDACTED

REDACTED Father Gerald B. Fessard

cc: REDACTED
Father Gerald B. Fessard

407858



REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard Los Angeles California 90010-2202

December 8, 2006

REDACTED

Re: Reverend Gerald Fessard

Dear REDACTED

I write in reply to your letter of December 4, 2006 concerning the case of the above-named priest.

I enclose herewith a draft of the Case Data grid which will accompany the materials to be submitted to the Congregation for the Doctrine of the Faith (CDF). As you will note, there are at present eight individuals who have made specific allegations against Father Fessard.

With regard to your question as to why Father Fessard was removed from ministry in 2002, he himself should be able to answer that question for you, as this was fully discussed at a meeting that took place between Cardinal Mahony and Father Fessard with then-Vicar for Clergy Monsignor Richard Loomis also present. To summarize the situation here, allegations had been made against Father Fessard that made it clear that Father Fessard could no longer continue in ministry. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from ministry of any priest guilty of even one act of sexual abuse of a minor. Father Fessard has admitted to acts of sexual misconduct and has willingly undergone treatment. In his 2002 recourse to the CDF against the Archdiocese, Father Fessard made reference to "incidents of sexual misconduct on my part that had occurred in 1987" and told the Congregation "I fully acknowledge my responsibility for these sinful actions." (*Letter of November 19, 2002, from Father Fessard to then-Cardinal Joseph Ratzinger, Prefect of the Congregation for the Doctrine of the Faith*, p. 1)

These circumstances contributed to Cardinal Mahony's decision that Father Fessard had to be removed from ministry, and they likewise form the basis now for the Cardinal's belief that the matter can be suitably resolved only by Father Fessard's voluntary laicization or his *ex officio* dismissal.

407859

Apart from this, your letter raises the issue of Father Fessard's future support. I am writing to confirm that Archdiocesan support will be determined in accord with the provisions of canon law.

Trusting that this information is useful and helps to clarify the issues raised in your letter, I remain

Sincerely yours in Christ,

Monsignor Gabriel Gonzales
Vicar for Clergy

cc: REDACTED
Reverend Gerald Fessard

407860

DIOCESE	Los Angeles in California
NAME OF ORDINARY	REDACTED
CDF PROT. NO.	223/02
NAME OF CLERIC	Reverend Gerald B. Fessard

PERSONAL DETAILS OF THE CLERIC	**Date of Birth**	14 July 1946	**Age**	60
	Ordination	27 May 1972	**Years of ministry**	30
ORIGINAL DIOCESE OF INCARDINATION		Los Angeles in California		
MINISTRY IN/TRANSFER TO OTHER DIOCESE				
CONTACT ADDRESS OF THE CLERIC		REDACTED		
CANONICAL ADVISOR				

ASSIGNMENTS

Years	Parish	Location	Appointment
1972-1975	St. Charles Borromeo	North Hollywood, California	Parochial Vicar
1975-1977	St. Pius X	Santa Fe Springs, California	Parochial Vicar
1977-1980	Santa Clara High School	Oxnard, California	Faculty
1977-1980	Santa Clara Church	Oxnard, California	Residence
1980-1985	St. Bernard High School	Playa del Rey, California	Faculty
1980-1981	St. Clement Church	Santa Monica, California	Residence
1981-1985	Archdiocesan Chancery	Los Angeles, California	Superintendent for Elementary Schools
1981-1985	St. Eugene	Los Angeles, California	Residence
1985-1986	St. Paul	Los Angeles, California	Residence
1986-1987	St. Martin of Tours	Los Angeles, California	Residence
1987	Our Lady Queen of Angeles Seminary	Los Angeles, California	Faculty, Dean of Discipline
1987-1988	In transition; sick leave		
1988-1989	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal
1988-1989	St. Timothy	Los Angeles, California	Residence
1989-1991	Educational leave, studies for JCL at Pontifical University of St. Thomas Aquinas in Rome		

407861

1991-1996	Archdiocesan Chancery	Los Angeles, California	Metropolitan Tribunal, Judge
1991-1994	St. Luke the Evangelist	Temple City, California	Residence
1994-1995	St. Gregory Nazianzen	Los Angeles, California	Residence
1995-2002	Maryknoll Convent	Monrovia, California	Chaplain and Residence
1996-2002	Archdiocesan Chancery	Los Angeles, California	Adjutant Judicial Vicar
2002	Inactive Leave		

ACCUSATIONS AGAINST THE CLERIC

Year	Victim	Age	Imputable Acts	Denunciation
1987	REDACTED	16	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	15	Took boy on an outing, while in mountain cabin had the boy get into his bed, embraced and rubbed neck while in bed	1987
1987	REDACTED	17	Touching genital area while sleeping in seminary dormitory	1987
1987	REDACTED	16	Touching genital area while sleeping in seminary dormitory	1987
1972	REDACTED	10	Entered the bedroom of the minor, pulled the covers off the bed, fondled genitals, pulled on the young man's penis and masturbated him	1997
1976 - 1977	REDACTED	11	Inappropriate touching, masturbating himself while fondling genitals of victim, kissing	2004 (lawsuit)
1979	REDACTED	15	Fondling the genitals of the victim and masturbating him, rubbing and massaging his body, getting into bed with him	2004 (lawsuit)

CIVIL PROCEEDINGS AGAINST THE CLERIC

Year	Type/Case	Resolution
1987	Soliciting Lewd Acts and Battery	Pled "no contest" (*nolo contendere*); sentenced to 36 months probation and ordered to register as a sex offender
2003	Criminal investigation and Grand Jury Subpoena	Dismissed because of the expiration of the criminal statute of limitations
2004	Civil lawsuit for damages (BC307230)	Pending

407862

MEASURES TAKEN BY THE DIOCESE	
Year	**Type of Measure**
1987	Treatment at Servants of the Paraclete Center, Jemez Springs, New Mexico
1994	Evaluation at the St. Luke Institute, Suitland, Maryland

SUSTENANCE PROVIDED BY THE DIOCESE TO THE CLERIC
Provided transitional assistance of $30,000 and was maintained on the Archdiocesan medical insurance program fro six months; presently receiving monthly priest's salary as well as monthly charitable contribution from REDACTED towards payment of health insurance premiums; vested in the Priests' Pension Plan and will be able to draw a monthly benefit beginning at age 70

RESPONSE/RECOURSE MADE BY THE CLERIC	
Year	**Type of Response/Recourse**
2003	Fessard made recourse to the Congregation for the Doctrine of the Faith, Prot. No. 223/02-17038, against the level of support that he was receiving from the Archdiocese; CDF denied his recourse

407863

REDACTED

RECEIVED
DEC 7 2006
BY:

December 4, 2006

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear Monsignor Gonzales:

I am writing to you after having had a conference call with REDACTED and Father Fessard this afternoon, relating to REDACTED letter of November 16 and Father Fessard's return letter of November 29, 2006. You have copies of both.

REDACTED had phoned to answer the specific question of how Father Fessard's future support would be affected by his decision. REDACTED told us that Father Fessard's necessary financial support would continue and would not be affected by whether Father Fessard comes to be laicized voluntarily or involuntarily.

Before I can advise Father Fessard or place before him the alternatives and consequences of any action he may take regarding laicization, however, I need to know the case against him. REDACTED said that he did not know the details of the case, only that it involved canon 1395(2) allegations.

REDACTED letter of November 16 says that Father Fessard's case "is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution" and that the Cardinal's Votum will recommend that the Pope *ex officio* dismiss Father Fessard from the clerical state. This must mean that the required preliminary investigation has been completed.. The Cardinal's Votum will contain a recommendation for the imposition of the severest penalty that can be imposed on a cleric. Before any response to this matter can be made, it is imperative that the factual basis for this recommendation be known.

The letter states that this recommendation is "due to the great scandal and harm that your actions have brought upon the Church". We do not know precisely what action or actions are referred to, or for what canonical crime this penalty is sought.

407864

REDACTED writes that if Father Fessard wishes to "make a statement regarding his case" it will be included in the material sent to the Congregation. It is difficult to know what meaningful statement regarding his case Father Fessard can make if he does not know what the case against him is, or what the material is that is being sent to Rome to support the Cardinal's recommendation.

Please supply me with the information necessary to know the factual basis on which the recommendation to the Congregation for laicization is based. Especially important would be to be to know what occurred in 2002 for which Father Fessard was removed from ministry, what investigation was undertaken and what was discovered in that investigation that now prompts the recommendation that he be dismissed from the clerical state.

RREDACTED has kindly granted an extension to December 18 for a reply and/or statement from Father Fessard. Thank you for your prompt attention to this matter and for your assistance in providing me with information without which I cannot properly advise him.

Sincerely and respectfully yours,
REDACTED

REDACTED for Father Gerald B. Fessard

Cc: REDACTED

His Eminence Roger Cardinal Mahony
Father Gerald B. Fessard

407865

REDACTED

REDACTED

December 4, 2006

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

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407866

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Sincerely and respectfully yours,
REDACTED

REDACTED Father Gerald B. Fessard

Cc: REDACTED

His Eminence Roger Cardinal Mahony
Father Gerald B. Fessard

407867

MEMORANDUM

TO: FESSARD CASE FILE REDACTED

FROM: REDACTED

SUBJECT: PHONE CONVERSATION OF 4 DEC 06 WITH GARY FESSARD & HIS CANONICAL ADVISOR

DATE: 4 DECEMBER 2006

Having received a letter from Gary Fessard (GF) in response to my letter to him of 21 Nov 06, in which GF posed two specific questions for me to respond to, I phoned GF this morning and left a message on his answering machine.

GF called me back later, and I addressed his questions, telling him that the support he would continue to receive was a completely separate issue from whether he chose to petition voluntarily for laicization or not. I explained that his ongoing support would not be affected in the least by any decision he might make about whether to petition for laicization. The issue of ongoing support appears clearly to be GF's overriding concern in the resolution of his case.

GF then asked if he could include his canonical advisor (c.a.) in a conference call connection so that I could repeat to him what I had just told GF. I had no objection.

With GF and c.a. on the line, I repeated what I had just said. A discussion ensued about what would be in GF's best financial interests, in terms of support he would be guaranteed from the Archdiocese: would it be best for him to petition, or should he fight to remain a cleric?; which course of action would give him the greater leverage for claiming financial support from the Archdiocese? I interjected that whether GF were a cleric or not, the Archdiocese would certainly see to it that his needs were properly met. GF then seized the opportunity to say, "So, if I petition and am laicized, the Archdiocese will continue to give me the same support I am now receiving?" I responded, "I'm not saying that Gary. I'm saying that regardless of whether you are a cleric or not, the Archdiocese will meet its obligations to see that you are not in need." GF rejoined, "Oh, you mean they'll make sure I don't end up on the street!"

C.a. asked what the allegations against GF were. I responded that I was not the one who had prepared the materials for CDF, so I did not know precisely what the allegations were. (GF had made a previous recourse to CDF, and the Archdiocese used the services of an external canonist to deal with the case; now as the materials were being prepared to send to Rome, the services of this same canonist were used in preparing everything, including a draft of Card. Mahony's *votum*.) However, I did share that I knew that there were allegations of sexual abuse of minors, and that GF had been criminally charged and sentenced in relation to some of these accusations. I further told c.a. that GF would certainly know of the allegations against him, as these are what led to his being charged criminally and eventually to his resigning his various of-

fices in the Archdiocese and being placed on administrative leave. At that point, GF and c.a. started to engage in an involved conversation about GF's history with CDF and the Archdiocese in terms of GF's having been placed on leave, making recourse to CDF against the Archdiocese; they also talked about assignments that had been given to GF after he had completed the terms of his criminal sentence and been evaluated and received treatment. It was quite apparent in all this that c.a. was not familiar with any of the specifics of GF's case.

As the two continued, I asked whether it was necessary for me to be on the line while they talked about what probably should have been done much earlier, that is, while GF explained the details of his situation and history to c.a. I told GF and c.a. that all I really needed to know, as I had asked in my letter, is whether GF would like to make a statement about his case to be included with the materials that would be submitted to CDF and, since GF had raised the possibility of his petitioning voluntarily for laicization, whether he might wish to make such a petition; two simple questions. I then asked GF whether I could expect an answer to these questions within the time limit indicated.

C.a. interrupted saying, "How can I advise Fr. Fessard about whether he should petition for laicization or oppose the Cardinal's request for dismissal if I haven't seen the files?" I responded that GF should be able to let c.a. know what the substance of any files are, since he was directly involved, and also since the materials of his recourse to CDF would have dealt with the same allegations. C.a. then asked whether he should contact Msgr. Gonzales or REDACTED about access to the files, I told him I did not know, and again suggested that he might want to talk with GF who should be familiar with the various details, again, since he was the one directly involved, the one who had to answer criminal charges, the one who was sentenced and had to fulfill the conditions imposed on him, who resigned his various offices at the Archdiocese in response to the allegations and was placed on administrative leave, etc. C.a. was not satisfied and said he would need time to discuss things with GF and would need to try to gain access to relevant files.

The question of the initial deadline of 11 Dec was then raised anew. I again told GF and c.a. that the questions were only two, and really very simple: did GF wish to petition voluntarily for laicization; and did he wish to make a statement regarding his case to be included with the material to be submitted to CDF? C.a. thought that maybe another week should be added to the deadline, making it 18 Dec instead of 11 Dec GF agreed that he could get back to me by that date, 18 Dec, if he had anything he wanted to say.

So, by mutual agreement of GF, c.a. and myself, the deadline for GF to respond to the invitation to make a statement to CDF and to decide whether he might wish to make a voluntary petition for laicization was extended one week, to 18 Dec 06.

REDACTED

Phone: REDACTED

E-Mail: REDACTED

November 29, 2006

REDACTED
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

CONFIDENTIAL

Dear REDACTED

I received your November 16 letter, with November 21 cover, last Wednesday, the day before Thanksgiving. I appreciate your offer to extend the time for my reply in view of the incorrect address to which the letter was originally sent.

I have received the news that Cardinal Mahony intends to seek from the Holy Father my dismissal *ex officio* from the clerical state with great surprise, shock and disappointment. I have always been convinced that my vocation to the ordained priesthood was a genuine call from God, confirmed by the Church after many years of testing and evaluation in seminary formation. Despite my failings and shortcomings, and despite my removal from public priestly ministry in 2002, it has been my hope to remain a priest for the rest of my life. That hope remains to this day. Thus my sadness and disappointment at the news contained in your letter, especially in that I have thus far cooperated fully with what I have been asked to do as part of repentance and recovery.

Before I can make a complete response, I must seek some further clarification of the options you outlined in your letter. Specifically, if I should choose to oppose the Cardinal's petition to the Congregation for the Doctrine of the Faith, and if his petition should be granted,, resulting in my dismissal from the clerical state, would I continue to receive the essential financial assistance that I am currently receiving from the Archdiocese? If, on the other hand, I were to request laicization voluntarily, would I continue to receive this essential financial support?

I would appreciate your prompt response to these questions, so that I may proceed with my response.

Fraternally in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard, M.A., J.C.L.

P.S. I wish to inform you that I have engaged REDACTED as my canonical advisor. A copy of my signed Mandate is enclosed herewith.

Cc: Msgr. Gabriel Gonzales

407870

MANDATE

Pursuant to canon 1481 of the Code of Canon Law, I, Reverend Gerald B. Fassard, hereby appoint Charles G. Renati, J.C.D., J.D. 601 Van ness Avenue, Suite 1003, San Francisco, California 94102 (415 928-4818) to serve as my canonical advisor and advocate/ procurator in all matters pertaining to my status as a cleric in the Archdiocese of Los Angeles.

Given at Gardena, California
on this 26 day of November 2006

Gerald B Fassard

Reverend Gerald B. Fessard

I accept this appointment REDACTED

November 26, 2006

407871

FILE COPY

Archdiocese of Los Angeles

Office of the Vicar for Canonical Services
Phone: (213) 637-7888
Fax: (213) 637-6888

3424 Wilshire Boulevard

Los Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

21 November 2006

Reverend Gerald B. Fessard
REDACTED

Dear Gary,

Last week I sent you a letter at a REDACTED address that I had on file for you, but it has now been brought to my attention that the REDACTED address is no longer current for you. I have therefore attached to the present letter a copy of the previous correspondence, and I apologize for the oversight in using an outdated address.

The content of the letter is self-explanatory, so I shall not repeat it here. But I would ask you to take a moment and read the attached letter now before continuing with what I am writing here.

* * * * *

Hoping that you have taken a moment to read the attached correspondence, I continue.

Since the information conveyed in the previous letter has probably been received by you later than anticipated — because of the error in the mailing address — I am pleased to extend the deadline for you to respond to me. Accordingly, if you would like a statement to be included in the material to be sent to the Congregation for the Doctrine of the Faith regarding your case, please see that it is delivered to me ***no later than Monday, 11 December 2006***.

And, Gary, I would like to repeat that I am happy to speak with you regarding this matter if you should have any questions or concerns. Thanking you for your understanding and assuring you once more of my prayers, I remain

Sincerely yours in Christ
REDACTED

407872

Archdiocese of Los Angeles

Office of the Vicar for Canonical Services
Phone. (213) 637-7888
Fax: (213) 637-6888

3424 Wilshire Boulevard

Los Angeles
California
90010-2202

PERSONAL AND CONFIDENTIAL

16 November 2006

Reverend Gerald B. Fessard
[redacted]

Dear Gary,

Upon my return from Rome, I was appointed [redacted] and it is in that official capacity that I now contact you, to let you know that your case is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution.

In this regard, it is my unpleasant duty to inform you that due to the great scandal and harm that your actions have brought upon the Church, Cardinal Mahony does not believe that anything short of your dismissal from the clerical state will adequately redress the harm done, repair the scandal given or properly restore justice. In the *votum* that he will present to the Congregation, therefore, he plans on recommending that Pope Benedict XVI dismiss you *ex officio* from the clerical state. Of course, should you decide to request laicization from our Holy Father, the Cardinal will support your request in his *votum*.

I write now to invite you to send me any statement that you may wish to make regarding your case so that it can be included with the material that will be sent to the Congregation. If you would like to provide such a statement, please see that it is delivered to me ***no later than Monday, 4 December 2006***. And should you have any questions or concerns regarding this matter, please feel free to contact me at [redacted]; I will be happy to speak with you and to offer whatever assistance I can.

Gary, know of my prayers for you as we seek to bring this difficult situation to a proper close.

Sincerely yours in Christ,

[redacted]

cc: Msgr. Gabriel Gonzales

Archdiocese of Los Angeles

Office of
the Archbishop
(213) 637-7288

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

Prot. N.
223/02-15132

October 28, 2002

His Eminence
Joseph Cardinal Ratzinger
Prefect, Congregation for the Doctrine of the Faith
Piazza del S. Ufficio 11.
Vatican City State
Europe

Your Eminence:

As I acknowledge receipt of your letter of September 3, 2002 regarding the appeal of the Reverend Gerald B. Fessard against my decision regarding remuneration communicated to him by the Reverend Monsignor Terrance L. Fleming, Vicar General of the Archdiocese, I take this opportunity to respond to this appeal by presenting a complete Acta in regards to the situation that led to his decision to depart from priestly ministry and our efforts to provide him with adequate sustenance while he begins his life outside of ministry (Appendix A and B).

Father Fessard was born on July 14, 1946 and ordained to the priesthood for the Archdiocese of Los Angeles in 1972. From 1972 until his departure in 2002, he has held numerous assignments in the Archdiocese. He has been a Parochial Vicar, a member of the faculty in several high schools, Dean of Studies at Our Lady Queen of Angels Seminary and most recently as a member of the Archdiocesan Tribunal. (Appendix E)

Prior to and from the beginning of his priestly ministry, Father Fessard has had a history of sexual misconduct. The *Acta* (Appendix C) contains a summary of Father Fessard's history of sexual misconduct as well as his treatment. The overall report points out that a conservative estimate would indicate that there have been at least twenty-two (22) victims of his sexual

407874

abuse. They include the abuse of both male and female minors as well as five (5) high school seminarians. The most egregious incident occurred in 1987 when students at Our Lady Queen of Angels Seminary accused him of sexual abuse. The civil authorities charged him with four criminal counts (two counts of battery and two counts of child molestation). These charges were later reduced, by means of a plea bargain, to one count of battery and one count of child molestation. Father Fessard pled no contest (*nolo contendere*) to these charges and was sentenced to three years probation and the requirement that he receive treatment.

Over the course of years, the Archdiocese has provided significant medical and psychological care for Father Fessard. In addition to his treatment by a professional psychologist, he has also had residential treatment at Jemez Springs, New Mexico and at Saint Luke Institute, Suitland Maryland. The medical and psychological reports of Father Fessard, especially from Saint Luke Institute in December of 1994, indicated that he is an ephebophile, sexually attracted to both males and females and recommended that any assignment or living situation take into account that contact with minors will increase his risk for inappropriate behavior (Appendix D).

With his various problems and treatment, Father Fessard has maintained his faculties and has been given an assignment within the Archdiocesan Curia as a member of the Archdiocesan Tribunal and provided with residence in various parishes. Additionally, he has assisted in various parishes on the weekends to be of sacramental assistance. Since 1995 he has not resided in any parish or institution of this Archdiocese but lived first in a treatment center and, then, in a convent of retired women religious. It is important to note that in November of 2000, another victim of sexual abuse, a former seminarian, denounced Father Fessard in a parish church in front of witnesses as a child molester. With this accusation, he was withdrawn from all parish involvement while maintaining his responsibilities in the Archdiocesan Tribunal (Appendix E).

As you are aware, the climate in the United States regarding the sexual abuse of minors by clergy has had intense publicity since the beginning of this year. The publicity has focused on the perceived failure by bishops to protect the people entrusted to their care. This publicity has made the return to ministry of any priest who has committed even a single act of sexual abuse with a minor, past or present, impossible. Furthermore, it should be noted that the laws of the state of California hold a bishop and the Archdiocese responsible for punitive damages in the event that any further action by Father Fessard should harm others.

In addition, the faithful of this Church hold the bishop morally responsible for providing that only sound and healthy priests are assigned to care for their spiritual needs and the needs of their children. In this regard the *Charter for the Protection of Children and Young People*

approved by the United States Conference of Catholic Bishops is an effort to restore credibility to the clergy and faithful of the Church.

In reviewing the appeal that has been lodged against my decision regarding his continual sustenance, three core issues need to be considered by Your Congregation. First, is the assertion by Father Fessard that the issue of his sexual abuse should not be considered in this matter. Second, is the assertion that his departure from ministry and resignation from various ecclesiastical offices was not voluntary and third, his assertion that he is not receiving sufficient sustenance to provide for his perceived needs. It is my intention to review these three core issues in response to the appeal that has been lodged by Father Fessard.

In regard to his first assertion, it is imperative that one does not fail to lose sight into the overall behavior of Father Fessard. While one may argue that canonical prescription has expired in regard to the various allegations that have been lodged against him, it is more important that one focus on the fact that his sexual abuse of minors was not an isolated incident but involved no less that twenty-two (22) incidents over a considerable period of time. He is in fact a sexual predator and a priest who can no longer function in ministry.

It cannot be understated that the laws of this country as well as the people of the Church are holding the bishops of the Church accountable for their perceived failure to act in an appropriate fashion regarding the sexual abuse of minors by priests. Thus, while Father Fessard may desire to render himself exonerated from any blame in this regard and further contend that he has already been sentenced for his misconduct and thus assert that his prior actions should not be considered in this matter, it would be harmful to the credibility of the Church if his entire situation was not taken into consideration. Thus, it is my belief that his assertion is without merit and his long history of sexual abuse of minors is in fact a critical consideration in this matter.

In regard to his second assertion, his departure from ministry was completely voluntary. The primary purpose of my meeting with Father Fessard on February 14, 2002 was a desire to protect him from the harm and scandal that had resulted from his past misconduct in the current climate of disclosure. During the course of that meeting Father Fessard agreed to resign from the offices that he held, to step aside from priestly ministry and to consider petitioning for a dispensation from the obligations arising from priesthood. Thus, to characterize my meeting with him and his decision to resign from the offices that he held as an administrative act imposed by me is quite inaccurate. His assertion that his departure from priestly ministry was involuntary is not supported by the facts as presented both from my perspective as well as the correspondence already presented by Father Fessard (Appendix F).

In regard to his third assertion, the financial arrangement that has been offered Father Fessard is more than adequate to respond to his needs and in fact, as indicated byREDACTED REDACTED quite adequate. Since March of 2002 to the present Father Fessard has attempted to continue to negotiate a settlement of his financial arrangements with the Archdiocese (Appendix G). Father Fessard has already accepted and expended a transition payment of $33,000.00 (US Dollars) and continues to receive monthly support in the amount of $1,000.00 (US Dollars).REDACTED
REDACTED

REDACTED

REDACTED It must be clear that it is not the intention of the Archdiocese to provide Father Fessard with assistance to live in a lifestyle beyond the means of the ordinary member of the Christian Faithful. The decisions that he has made regarding the type of automobile he purchased and his place of residence has substantially contributed to his perception that he is not receiving sufficient funds on which to live. There are certain other areas of the Archdiocese and more modest vehicles that, if Father Fessard would have chosen, his transitional payment and his monthly reimbursement would be more that sufficient.

Thus, while Father Fessard asserts that he is not receiving proper assistance from the Archdiocese, it is my belief that the Archdiocese has treated him fairly in this matter, given the gravity of his personal situation and the reasons that surround his departure from priestly ministry. Finally, it should be noted that it does not seem to be the intention of the *Code of Canon Law* to provide a priest who cannot be permitted to function as a priest, sustenance and benefits that are greater than priests who remain in active ministry.

In conclusion, let me take this opportunity to review the issues that I believe are essential in this case:

- First, Father Fessard has a history of sexual misconduct with minors.
- Second, the climate in the United States does not permit a priest who has committed even one act of sexual abuse of a minor to be in ministry.
- Third, the resignation from all ecclesiastical offices and his departure from ministry were completely voluntary. Finally, it is our belief that the compensation provisions that are being provided to Father Fessard are more than adequate to sustain him and assist him in his transition. With these factors in mind, I respectfully request that his

appeal be denied and the decision issued by Monsignor Terrance L. Fleming, Vicar General of the Archdiocese, be upheld.

Thanking you for your kind attention to this matter, and with kindest personal regards, I am

Sincerely yours in Christ,

+ Roger Cardinal Mahony

His Eminence
Cardinal Roger M. Mahony
Archbishop of Los Angeles

407878

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard

Los Angeles California 90010-2241

March 8, 2002

Reverend Gerald B. Fessard
REDACTED

Dear Gary:

This is to put on paper for you the information I communicated to you on the telephone a little earlier this afternoon.

First, the Cardinal renews his request, made to you personally, that you present a petition for laicization. He asks you to present this for your own welfare and that of the Church.

As transitional support, the Archdiocese is making a gift to you of thirty-thousand dollars [redacted] this will enable you to purchase an automobile, pay first and last months' rent and secure some of the necessities you may need. Five thousand dollars [redacted]) of this amount was already advanced to you. Enclosed is a check for the additional twenty-five thousand dollars [redacted].

REDACTED

Beyond the immediate assistance that is being provided at this time, the Archdiocese proposes to recognize and respond to certain hardships related to your leave of absence. We are prepared to arrange an annuity that would pay you [redacted] a month. Between now and age sixty-five, that amount will assist you in meeting some of your living expenses, the rest of which we expect you to be able to meet through securing of some form of employment. Once you begin drawing on the pension fund, the annuity payment continues, more than making up the difference in the amount you would have received had you continued in service until age seventy.

We are also prepared to forgive the balance of the loan you owe to the Archdiocese. The current balance is [redacted].

We believe this is a fair package, one that is consistent with the kind of support given to our priests in retirement and medical disability.

Sincerely yours in Christ,

407879

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

enclosure: check

Check Date: 08.Mar.2002 ACCLA eck No. 120390

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
308	08.Mar.2002	00068222	25,000.00	0.00	[redacted]

Vendor Number	Name		Total Discounts	
0000001121	Rev. Gerald B. Fessard		$0.00	
Check Number	Date	Total Amount	Discounts Taken	Total Paid Amount
	08.Mar.2002	[redacted]	$0.00	[redacted]

DO NOT CASH IF THIS DOCUMENT DOES NOT HAVE A LARGE FAINT IMAGE OF THE SECURE DOCUMENT LOGO OVER A FADING PATTERN OF THE WORDS SECURE DOCUMEN

The Roman Catholic Archbishop of Los Angeles
(A Corporation Sole)
3424 Wilshire Blvd.
Los Angeles, California 90010-2241
(213) 637-7691

Wachovia Bank, N.A.
Greenville, South Carolina
In Cooperation with & Payable If Desired at
Wells Fargo Bank, N.A.
4759-613201 67-17/532

120390

Date: March 8, 2002

Pay Amount: $ [redacted]

Pay ****[redacted] XX / 100 US DOLLAR****

407880

To The Order Of

REDACTED

REV. GERALD B. FESSARD
Tribunal
ACC
Los Angeles, CA 90010

⑈120390⑈ REDACTED

THIS REVERSE SIDE OF THIS DOCUMENT MUST HAVE AN ARTIFICIAL WATERMARK AND COLORED SAFETY PANTOGRAPH. THIS PAPER IS ALTERATION PROTECTED.

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7284
3424 Wilshire Boulevard
Los Angeles California 90010-2241

March 11, 2002

Reverend Gerald B. Fessard
[redacted]

Dear Gary:

Thank you for your phone call last night. This is to acknowledge that, in your call, you indicated that you did not believe the provisions for support expressed in my letter of March 8, 2002, were adequate. You promised to explain the difficulties you have in a letter to me, for which I am grateful.

You asked that I clarify two things in writing. First, you inquired whether there is a *fatalia legis* running that would require you to place a notice of recourse within the canonically specified time. I informed you that the letter of March 8, 2002, was not an administrative act. The provisions described there do not reflect a final decision being imposed, and hence are not yet at the point where you need to lodge a formal recourse.

Second, among your objections to the provisions described in the letter you indicated that in your opinion the amount of the "gift" of [redacted] was not adequate. You inquired whether cashing the check enclosed with that letter would be seen as a tacit acceptance of that amount precluding any further recourse. Let me assure that you that cashing the check will not be interpreted as any sort of tacit acceptance precluding you from challenging the adequacy of that provision.

I trust that these clarifications are helpful.

May God continue to bless you at this difficult time.

Sincerely yours in Christ,

Monsignor Craig A. Cox, J.C.D.
Vicar for Clergy

407881

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FedEx Express

March 12,2002

IVRTRACK
(213) 637-6289

Dear IVRTRACK:

Our records reflect the following delivery information for the shipment with the tracking number 5589881485. The information is incomplete and we regret the inconvenience this may cause. However, as stated in the FedEx Service Guide, we assume no liability for our inability to provide a copy of the delivery record.

Delivery Information:

Signed For By: G.FESSARD

Delivered to: REDACTED

Delivery Date: March 09, 2002

Delivery Time: 10:08 AM

Shipping Information:

Tracking No: 5589881485 Ship Date: March 08, 2002

Shipper: Recipient:

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407882

#5

Archdiocese of Los Angeles [redacted] 3424 Wilshire Boulevard Los Angeles California 90010-2241

April 29, 2002

Reverend Gerald B. Fessard
[redacted]

Dear Father Fessard:

As I acknowledge receipt of your letter of March 20, 2002 that was forwarded to me by Monsignor Craig A. Cox, I wish to take this opportunity to respond to your request for further assistance from the Archdiocese, as well as to several statements that you make regarding your recent departure from ministry. As I said in my previous letter, I appreciate your patience in awaiting this reply.

First, it is important that we do not forget the circumstances that have led to your resignation from the offices that you held and your departure from priestly ministry. As you are aware, while the situation at Queen of Angels High School Seminary may have occurred in 1987, the behavior that led to your arrest, *nolo contendere* plea and sentence of probation, though sealed, is a matter of public record and can still be accessed by any person doing a thorough, professional, criminal records search. While the Archdiocese has been generous in assisting you over these years, the present situation does not permit the Archdiocese to have in ministry any priest who has had an allegation of sexual misconduct with minors that has been deemed credible and proven. The faithful of this Archdiocese demand that those priests who minister to them be free of any history of sexual misconduct with minors. Additionally, the protection of our children and the credibility of this local church are of critical importance at this time.

Second, you indicate that your departure from ministry was "completely involuntary." This characterization of your meeting with Cardinal Mahoney is quite inaccurate. You may recall that when you met with the Cardinal, in my presence, the Cardinal expressed a desire to protect you from any harm or scandal resulting from your past misconduct in the current climate of disclosure. The Cardinal requested and you agreed to resign from the offices that you held. In addition, you agreed to step out of priestly ministry. The Cardinal also asked that you consider submitting a petition for a dispensation from the obligations arising from priesthood and you said that you would consider it. Specifically, you indicated that although the request was a difficult one, you would not want any further harm to come to the Church. Thus, it seems to me that your perception of the meeting is not in concert with the facts as they occurred.

Third, you seem to intimate that the Archdiocese has in some way been responsible for damaging your reputation. Such an intimation is rather far from reality. The fact of the matter is that your situation at Queen of Angels High School Seminary has not been a secret. I believe this is clearly illustrated by the fairly recent incident at Epiphany Church that I am sure you will remember. In addition, many priests who knew high-school seminarians in formation at that time knew of the criminal charges lodged against you and of the disposition of those charges. In addition, it has come to our attention that you informed individuals about your present situation by letter and email. This only increased discussion surrounding your past problems. As you know, the Cardinal has sought to avoid having the Archdiocese be the source for revealing the names of priests who have been asked to step aside from ministry. Thus, the assertion that in some way the Archdiocese is or was responsible for any damage that may have occurred to your reputation is unfounded.

Fourth, as you are aware the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance and benefits that are equal to or greater than priests who remain in active ministry. The Code presumes that every cleric who is unable to function because of past conduct will seek to obtain a means of support.

Your letter indicates that you are impeded from beginning a new career because of your age, but the letter does not articulate any attempts that you have made to begin to support yourself. For example, you indicate that no definite or long-term position or clear notion of salary or stipend has been discussed for service provided to the tribunal. To the contrary, Father Anslow has stated that he asked you to "ghost write" sentences and that a stipend of at least $100.00 per case would be given for this kind of work. It seems that it is opportune for you to explore this as well as other possibilities that may exist, given your canonical experience.

Finally, it seems that the financial arrangements that have been offered are well within reason. The Archdiocese believes that it has extended you substantial assistance for your transition from ministry. You are currently continuing to receive your monthly stipend based on the length of your service and transitional health insurance. This seems quite adequate. In addition, long-term assistance is ensured in the form of an annuity offered to you with the intention that you would have sufficient means to obtain health insurance, as well as to have some additional disposable income. The Archdiocese does not believe that any additional assistance is needed. Given the assistance that you will receive and your ability to use your canonical education, you have the means to support yourself. I trust that you will endeavor to begin this transition.

In addition to the above financial support, we would, of course, be most willing to assist your ongoing work with your therapist. As in the past, this support can be arranged through the Vicar for Clergy Office.

I fully realize that these days have been difficult for you as they have been for the presbyterate and the Archdiocese. Please be assured of my continual prayers for you as you begin your new life outside of ministry. If you wish to discuss this matter further with me, please do not hesitate to contact me.

Sincerely yours in Christ,

[redacted]

COPY

Archdiocese of Los Angeles
Secretariat for Administrative Services (213) 637-7890
3424 Wilshire Boulevard
Los Angeles California 90010-2241

May 7, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Father Fessard,

I am writing in response to your phone call a few days ago in order to clarify those points that you raised. I am sorry if my previous letter created any confusion. I know that the recent weeks have brought changes that are difficult for you.

To be clear in terms of financial support, you are currently receiving the regular stipend based on seniority in ordination. When the annuity is established and begins paying a monthly amount, the stipend will cease. Please understand that the corpus of the annuity will represent a substantial investment in your future by the Archdiocese.

As earlier stated, it is our intention that the monthly annuity payment would provide funds to ensure the mean REDACTED as well as to provide some additional expendable income for you both now and after retirement when REDACTED REDACTED

Also, to date, in addition to your monthly stipend, the Archdiocese has given you $33,000 to aid in your transition. You made the decision to expend that assistance on living arrangements in REDACTED and on the purchase of a new car.

I fully realize that the interim pay you might receive for composing sentences is not a solution to your total situation. I encourage you to continue to seek employment that will provide you with additional income and health insurance.

REDACTED

40/880

As I previously stated, the Archdiocese believes that the arrangements for your transition are generous and adequate.

Please know that you continue in my prayers in these difficult times.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

407887

REDACTED

August 5, 2002

Rev, Msgr. Richard A. Loomis
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Dear Dick:

In your letter of May 7, 2002 you indicated that, *per* the previous letter of Msgr. Craig Cox, my health insurance benefits from the Archdiocese would be terminated six months from the date on which my "inactive" status began, i.e., February 16, 2002.

As you may know, the terms of the Archdiocese's offer concerning my financial support are still under review and are being negotiated. At this time, I am writing to ask if the Archdiocese is willing to allow my health insurance benefits to remain in force pending the resolution of these issues.

I hope to hear from you on this matter at your earliest convenience.

Sincerely in Christ.

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

407888

Archdiocese of Los Angeles | Secretariat for Administrative Services (213) 637-7890 | 3424 Wilshire Boulevard | Los Angeles California 90010-2241

August 23, 2002

Rev. Gerald B. Fessard
REDACTED

Dear Gary,
REDACTED

Once again, I apologize for letters crossing in the mail without a reply from me. Also, please accept my sincere expression of sympathy regarding the article in *The Los Angeles Times* last Sunday. The damage done to so many was, in my opinion, entirely gratuitous and heartless. Please know you are in my prayers during this difficult time.

PAX!

Richard A. Loomis

Reverend Monsignor Richard A. Loomis
Director, Secretariat for Administrative Services

407889

Fessard, Rev. Gerald (55 y/o)
Victims: 22+
- 10 to 12 occasions (male & female) self-disclosed in evaluation at St. Luke's Institute
- 1 an adult recalling childhood abuse
- 5 high school seminarians (4 criminal charges; plea bargain: *nolo contendere* to 2)
- 5 teenage girls
- Unknown numbers of others (?)

Current situation:
Ordained: 1972
Ministry: Tribunal (Adjutant Judicial Vicar) – since 12/14/87
(formerly Associate Superintendent for Elementary Schools)
Residence: Maryknoll Sisters Retirement Facility – since 8/28/97

# # # # #

Approximately 20 years old, in college seminary, 1964-1968:

- As counselor tending ill or upset children late at night, gained "some gratification from touching children, putting my hands on their legs, genitals, buttocks while asleep. For kids away from home, I saw myself as a father or mother figure and tried to be both paternal and nurturing. For some reason, I related this occasional activity with those feelings. I have never overtly solicited sexual activity with children; the only instances occurred when they were asleep." *(N.B. This behavior went on for five summers – cf. the report from St. Luke's below.)*
(Self-disclosed in evaluation in Jemez Springs, 1987)
- Psychological progress report details:
  - Camp episodes
  - Occasional episodes since then
  - Allegations causing intervention & criminal charges – dorm and cabin

(Dr.[REDACTED] *MD, report in 7/1987)*

Incident in first assignment, 1972-1975:

- Complaint from an adult about touching of genitals while child was "asleep." Priest was at dinner party and entered child's room, presumably on excuse of going to rest room. There would be "no reason to enter the children's bedroom" than molestation or mistake.
- Memory of event prompted by complainant's brother recounting a dream of his childhood that included the same scenario.

(Complaint brought in 1998)

Incident at high school seminary, 1987:

- Allegations by two students of touching of genitals while teens "asleep" and prowling dorms at night. *(early 1987)*
- Allegations by three boys of inappropriate behavior at priest's cabin.
- Charges brought: four charges, plea bargained to two

- One of battery
- One of child molestation
  - *Nolo contendere* plea
  - Sentence: 3 years probation (ending 6/30/1990) + treatment

- Father Fessard "is both psychologically and literally in the dark" about his acting out, in that he approached his victims when he presumed they were asleep. "It seems to a great extent that he kept the behavior of touching boys' genitals when they were sleeping far apart from the rest of his life; that in some ways, he had compartmentalized that and had to some degree rationalized it and in other ways, more ignored it but kept it away from himself and did not it much in terms of his self-image."

Dr. REDACTED *Ph.D., 7/23/87)*

- Assessment/treatment at Jemez Springs – link of drinking and acting out
- Protocol on return – limited ministry, ongoing therapy, invoking treatment recommendations

(Report by victims, police, court and treatment documents, 1987)

<u>At Saint Luke, Temple City, 1991-1994:</u>

- Complaints from 5 teenage girls (12 to 14) and one mother of appearing under the influence, inappropriate behavior at a late night teen group meeting, observed alone with daughter by mother, patted girls on behind, made girls feel "uncomfortable."

(Report by victims, 1994)

- Evaluation by Saint Luke's, Maryland: as part of evaluation, self-disclosed more victims.
  - "Father Fessard states that his sexual acting out with minors began when he was approximately age 19 or 20 and working at a camp. Father Fessard states that he began touching adolescent males who were between the ages of 12 and 14 when he thought they were asleep.
  - "He also admits that he has sexually touched to 13-year-old females who were also asleep.
  - "Father Fessard states that he would sometimes do this after ordination when he would take minors on overnights and on camping trips. He reports that he would touch the testicles, penis and sometimes the buttocks of these young people.
  - "Father Fessard states that he is more attracted to "feminine" boys who are slender and have smooth bodies.
  - "He states that the touching occurred over five summers when he was young. He reportedly touched minors on 10 to 12 occasions.
  - He says that, after ordination, between 1972 and 1987, there were occasional overnights when he would touch minors."
  - DIAGNOSIS:

RCALA 003880

- Paraphilia not otherwise specified – ephebophilia, sexually attracted to both males and females, non-exclusive. 302.90
- Alcohol dependence in early remission. 303.90
- Dependent and narcissistic traits.

(Report from Saint Luke's, 12/5/94)

Epiphany, S. El Monte, 11/2000:

- A young adult attending Mass publicly denounced priest to pastor, music minister and choir members that "he is a child molester." The young adult knew the whole story from the high school seminary.
- Pastor tried to contact young man, who he learned was a former seminarian at high school seminary. No contact.
- Withdrawn from all parish involvement (evidently allowed to help in parishes by Vicar sometime later).

(Report made by pastor)

Other observations:

- Perfectionist and workaholic as an ongoing concern detailed in Jemez Springs report
- Constant concern of priest about money and Archdiocesan support
  - Throughout legal proceedings
  - Throughout both treatments
  - In living situation
  - At work in ACC (e.g., lunch funds)
- Constant effort to return to "normal assignment" and parish involvement
  - Returning from Jemez Springs, priest wanted to reside in a parish with a school and wanted campus ministry in a girls college
  - In special living arrangements at Sisters' convent, asked to be more involved in parish ministry on several occasions
  - Felt removal from Sunday service was unjust when he was publicly denounced by former seminarian

Recommendations of two treatment programs and therapists:

- Jemez Springs: "Gary has done very well in the program. He is healthily anxious to go back into ministry and serve well the Archdiocese." (REDACTED REDACTED) Recommendation of Fr. Liam Hoare, s.P., attached.

(12/23/1987)

- Dr. REDACTED , Ph.D.: "It is this examiner's opinion that Father Fessard does not require to continue in psychotherapy at present. ... Currently there are no psychological indications that he would repeat the sexual mistakes of the past."

(4/28/1989)

- Saint Luke's:
  - "... Father Fessard is to have no contact with male or female minors. In light of Father Fessard's recent difficulties it seems psychologically appropriate to make this recommendation very strongly. Father Fessard's

CCI 004396

history is one where he has committed serious sexual offenses against minors over a long period of time. We therefore recommend that any assignment or living situation take into account that contact with minors will increase Father Fessard's risk for inappropriate behavior."

- Continued attendance at AA
- Continue outpatient therapy
- Father & therapist explore benefit of group therapy

(12/5/1994)

- REDACTED : After working with him for some time, recommended Father Fessard for a supervised return to parochial ministry under a protocol agreement.
- While this recommendation was being considered, the complaint of 1998 came in ending all consideration of the possibility.

(9/9/1996)

DRAFT

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2241

Prot. N.
223/02-15132

October 28, 2002

His Eminence
Joseph Cardinal Ratzinger
Prefect, Congregation for the Doctrine of the Faith
Piazza del S. Ufficio 11.
Vatican City State
Europe

REDACTED

As I acknowledge receipt of your letter of September 3, 2002 regarding the appeal of the Reverend Gerald B. Fessard against my decision regarding remuneration communicated to him by the Reverend Monsignor Terrance L. Fleming, Vicar General of the Archdiocese, I take this opportunity to respond to this appeal by presenting a complete Acta in regards to the situation that led to his decision to depart from priestly ministry and our efforts to provide him with adequate sustenance while he begins his life outside of ministry (Appendix A and B).

Father Fessard was born on July 14, 1946 and ordained to the priesthood for the Archdiocese of Los Angeles in 1972. From 1972 until his departure in 2002, he has held numerous assignments in the Archdiocese. He has been a Parochial Vicar, a member of the faculty in several high schools, Dean of Studies at Our Lady Queen of Angels Seminary and most recently as a member of the Archdiocesan Tribunal. (Appendix E)

Prior to and from the beginning of his priestly ministry, Father Fessard has had a history of sexual misconduct. The *Acta* (Appendix C) contains a summary of Father Fessard's history of sexual misconduct as well as his treatment. The overall report points out that a conservative estimate would indicate that there have been at least twenty-two (22) victims of his sexual abuse. They include the abuse of both male and female minors as well as five (5) high school seminarians. The most egregious incident occurred in 1987 when students at Our Lady Queen of Angels Seminary accused him of sexual abuse. The civil authorities charged him with four criminal counts (two counts of battery and two counts of child molestation). These charges were later reduced, by means of a plea bargain, to one count of battery and one count of child molestation. Father Fessard

pled no contest (*nolo contendere*) to these charges and was sentenced to three years probation and the requirement that he receive treatment.

Over the course of years, the Archdiocese has provided significant medical and psychological care for Father Fessard. In addition to his treatment by a professional psychologist, he has also had residential treatment at Jemez Springs, New Mexico and at Saint Luke Institute, Suitland Maryland. The medical and psychological reports of Father Fessard, especially from Saint Luke Institute in December of 1994, indicated that he is an ephebophile, sexually attracted to both males and females and recommended that any assignment or living situation take into account that contact with minors will increase his risk for inappropriate behavior (Appendix D).

With his various problems and treatment, Father Fessard has maintained his faculties and has been given an assignment within the Archdiocesan Curia as a member of the Archdiocesan Tribunal and provided with residence in various parishes. Additionally, he has assisted in various parishes on the weekends to be of sacramental assistance. Since 1995 he has not resided in any parish or institution of this Archdiocese but lived first in a treatment center and, then, in a convent of retired women religious. It is important to note that in November of 2000, another victim of sexual abuse, a former seminarian, denounced Father Fessard in a parish church in front of witnesses as a child molester. With this accusation, he was withdrawn from all parish involvement while maintaining his responsibilities in the Archdiocesan Tribunal (Appendix E).

As you are aware, the climate in the United States regarding the sexual abuse of minors by clergy has had intense publicity since the beginning of this year. The publicity has focused on the perceived failure by bishops to protect the people entrusted to their care. This publicity has made the return to ministry of any priest who has committed even a single act of sexual abuse with a minor, past or present, impossible. Furthermore, it should be noted that the laws of the state of California hold a bishop and the Archdiocese responsible for punitive damages in the event that any further action by Father Fessard should harm others. In addition, the faithful of this Church hold the bishop morally responsible for providing that only sound and healthy priests are assigned to care for their spiritual needs and the needs of their children. In this regard the *Charter for the Protection of Children and Young People* approved by the United States Conference of Catholic Bishops is an effort to restore credibility to the clergy and faithful of the Church.

In reviewing the appeal that has been lodged against my decision regarding his continual sustenance, three core issues need to be considered by Your Congregation. First, is the assertion by Father Fessard that the issue of his sexual abuse should not be considered in this matter. Second, is the assertion that his departure from ministry and

resignation from various ecclesiastical offices was not voluntary and third, his assertion that he is not receiving sufficient sustenance to provide for his perceived needs. It is my intention to review these three core issues in response to the appeal that has been lodged by Father Fessard.

In regard to his first assertion, it is imperative that one does not fail to lose sight into the overall behavior of Father Fessard. While one may argue that canonical prescription has expired in regard to the various allegations that have been lodged against him, it is more important that one focus on the fact that his sexual abuse of minors was not an isolated incident but involved no less that twenty-two (22) incidents over a considerable period of time. He is in fact a sexual predator and a priest who can no longer function in ministry. It cannot be understated that the laws of this country as well as the people of the Church are holding the bishops of the Church accountable for their perceived failure to act in an appropriate fashion regarding the sexual abuse of minors by priests. Thus, while Father Fessard may desire to render himself exonerated from any blame in this regard and further contend that he has already been sentenced for his misconduct and thus assert that his prior actions should not be considered in this matter, it would be harmful to the credibility of the Church if his entire situation was not taken into consideration. Thus, it is my belief that his assertion is without merit and his long history of sexual abuse of minors is in fact a critical consideration in this matter.

In regard to his second assertion, his departure from ministry was completely voluntary. The primary purpose of my meeting with Father Fessard on February 14, 2002 was a desire to protect him from the harm and scandal that had resulted from his past misconduct in the current climate of disclosure. During the course of that meeting Father Fessard agreed to resign from the offices that he held, to step aside from priestly ministry and to consider petitioning for a dispensation from the obligations arising from priesthood. Thus, to characterize my meeting with him and his decision to resign from the offices that he held as an administrative act imposed by me is quite inaccurate. His assertion that his departure from priestly ministry was involuntary is not supported by the facts as presented both from my perspective as well as the correspondence already presented by Father Fessard (Appendix F).

In regard to his third assertion, the financial arrangement that has been offered Father Fessard is more than adequate to respond to his needs and in fact, as indicated by Monsignor Terrance L. Fleming, quite adequate. Since March of 2002 to the present Father Fessard has attempted to continue to negotiate a settlement of his financial arrangements with the Archdiocese (Appendix G). Father Fessard has already accepted and expended a transition payment of $33,000.00 (US Dollars) and continues to receive monthly support in the amount of $1,000.00 (US Dollars). REDACTED

REDACTED

REDACTED

REDACTED It must be clear that it is not the intention of the Archdiocese to provide Father Fessard with assistance to live in a lifestyle beyond the means of the ordinary member of the Christian Faithful. The decisions that he has made regarding the type of automobile he purchased and his place of residence has substantially contributed to his perception that he is not receiving sufficient funds on which to live. There are certain other areas of the Archdiocese and more modest vehicles that, if Father Fessard would have chosen, his transitional payment and his monthly reimbursement would be more that sufficient. Thus, while Father Fessard asserts that he is not receiving proper assistance from the Archdiocese, it is my belief that the Archdiocese has treated him fairly in this matter, given the gravity of his personal situation and the reasons that surround his departure from priestly ministry. Finally, it should be noted that it does not seem to be the intention of the *Code of Canon Law* to provide a priest who cannot be permitted to function as a priest, sustenance and benefits that are greater than priests who remain in active ministry.

In conclusion, let me take this opportunity to review the issues that I believe are essential in this case. First, Father Fessard has a history of sexual misconduct with minors. Second, the climate in the United States does not permit a priest who has committed even one act of sexual abuse of a minor to be in ministry. Third, the resignation from all ecclesiastical offices and his departure from ministry were completely voluntary. Finally, it is our belief that the compensation provisions that are being provided to Father Fessard are more than adequate to sustain him and assist him in his transition. With these factors in mind, I respectfully request that his appeal be denied and the decision issued by Monsignor Terrance L. Fleming, Vicar General of the Archdiocese, be upheld.

With sentiments of highest esteem and regard, I am

Respectfully in Christ,

Roger Cardinal Mahoney
Archbishop of Los Angeles

407897

Archdiocese of Los Angeles

Office of
Vicar for Clergy
(213) 637-7284

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

December 13, 2004

Personal and Confidential

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

Please know that you continue to be in my prayers during this very difficult time. It is times like these we know the wisdom of St. Paul when he experienced his powerlessness, but found the grace of God in his weakness (2 Corinthians 12:9-10). So may the grace of Christ fill you and strengthen you in this time of trial.

As you know, we are endeavoring to reach equitable settlements to the many lawsuits filed against the Archdiocese of Los Angeles. As you may not know, as part of the settlement process in southern California, the judge has required that the Archdiocese as well (as other dioceses and religious orders) prepare "proffers" or summaries of the contents of most of the accused priests' clergy and confidential files. The Archdiocese recently completed the process of having the proffers it prepared reviewed and verified by the judge.

Cardinal Mahony is now consulting with his advisors, especially our Presbyteral Council, on the wisdom of making these proffers available for review by our Catholic people. Currently, it is his intent to proceed with making this information available in some form, especially since some victims have indicated that the release of this kind of information can be helpful to their healing process. Release of such information also responds to the call from so many of our Catholic people for greater openness about how complaints of sexual misconduct with minors have been handled. Thus, our sense is that there will be great value in taking the initiative now to release these documents ourselves, allowing us to do so in a constructive context and with appropriate explanation.

The Cardinal has asked that I write to each person for whom we have prepared proffers and to enclose for your review a copy of the proffer related to you. As you can see, for the most part of the proffer includes information on your dates of birth and ordination as well as your assignment history. When applicable, the proffer also includes information on when any kind of sexual misconduct was reported to Archdiocesan authorities. This relates to the critical legal question of "notice." It also sketches the actions taken by officials of the Archdiocese in response to any complaints.

407898

Out of respect for your rights, the Cardinal did not want to release this proffer without first communicating our thinking to you and allowing you to review the proffer. Certainly, if any of the information in our files is erroneous, we would very much appreciate receiving corrected information from you.

Also, if you have any comments or questions, please feel free to phone REDACTED one of the attorneys most familiar with the proffers, at REDACTED You are also welcome to phone me at REDACTED

Again, please know that you are in my prayers, especially during this Advent season of hope. May these wonderful days of the liturgical year be a time of healing and renewal for us all!

Yours in Christ,

Monsignor Gabriel Gonzales
Assistant Vicar for Clergy

enclosure

407899

PROFFER RE FATHER GERALD FESSARD

Date	Description
7/14/46	Born in Little Rock, Arkansas
5/27/72	Ordained in Los Angeles
6/12/72	Assigned as Associate Pastor at St. Charles, North Hollywood
6/16/75	Assigned as Associate Pastor at St. Pius X, Santa Fe Springs
7/15/77	Assigned as teacher at Santa Clara High School, Oxnard
7/15/77	Assigned for residence to Santa Clara Parish, Oxnard
7/9/80	Assigned as teacher at St. Bernard High School, Playa Del Rey
7/9/80	Assigned in residence to St. Clement, Ocean Park
6/15/81	Assigned as Associate Superintendent of Elementary Schools
6/15/81	Assigned for residence at St. Eugene, Los Angeles
7/9/85	Assigned for residence to St. Paul, Los Angeles
6/29/86	Assigned for residence to St. Martin of Tours, Brentwood
2/1/87	Assigned as Dean of Studies at Queen of Angels Seminary, Mission Hills with residence at the seminary
4/1/87	Effective date for start of Sick Leave
4/2/87	Two students at seminary reported that Father Fessard had touched them in genital area while sleeping. Two other students at seminary reported that they went to a cabin with Father Fessard and that while telling ghost stories they became frightened and went to bed with him. One reported that Father rubbed his neck and embraced him while in bed. The other reported that Father put his arm around him while in bed. The Archdiocese will not contend that it lacked notice of Father Fessard's sexual interest toward minors following this report.
Mid-April, 1987	Removed from seminary during police investigation until approximately late June.
6/16/87	Meeting of Fessard, his criminal defense attorney, the Vicar for Clergy, Archdiocese General Counsel and Archdiocese outside counsel regarding potential criminal plea.
6/18/87	Archdiocese reimburses Fessard for legal and living expenses.
6/23/87	Pled guilty to two counts. Probation is 36 months. Must register with County Sheriff and undergo psychiatric counseling.
6/24/87	Vicar provides character reference to LA Co. Probation Dept.
July to December, 1987	Residential therapy at the Servants of the Paraclete facility in Jemez Springs, New Mexico.
12/14/87	Assigned to Tribunal at the Chancery, Los Angeles
1/1/88	Began weekly therapy with a local psychologist.
2/1/88	Assigned for residence at St. Timothy's, Los Angeles
4/26/88	Status report regarding treatment with local psychologist.
6/5-10/88	Aftercare session at Servants of the Paraclete, Jemez Springs
8/1/89	Education Leave to study canon law in Rome beginning in Fall

Date	Description
8/15/91	Assigned to Tribunal at Chancery, Los Angeles. This assignment continued until 2002
8/22/91	Assigned for residence at St. Luke, Temple City
8/30/94	Report of boundary violations (patting on buttocks) with teenage group at St. Luke's associated with the use of alcohol.
9/1-28/94 approx.	Admitted to Marina Mercy Hospital EXODUS unit to begin 30-day detoxification.
9/26/94	Assigned for residence at St. Gregory Nazianzen, Los Angeles
10/1/94	Attends AA (Alcoholics Anonymous) meetings five times a week commencing this date.
11/94	Residential evaluation at St. Luke Institute, Maryland
12/5/94	Psychologist's Report, St. Luke Institute
3/1/95	Assigned as Chaplain and for residence to Maryknoll Sisters Convent, Monrovia
1996	Attends therapy with local psychologist
10/27/97	Adult male (SS) reported that when he was 8 or 9 years old, Father Fessard sexually molested him in his bed at home.
2/14/02	Resigns from Tribunal
2/16/02	Inactive Leave

REDACTED

COPY

August 19, 2002

His Eminence, Joseph Cardinal Ratzinger
Prefect
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00120 Vatican City **EUROPE**

Your Eminence,

I am presenting this petition for hierarchic recourse to the Congregation for the Doctrine of the Faith in virtue of the competence of this esteemed Congregation to examine issues related to the *graviora delicta* defined in the *motu proprio, Sacramentorum Sanctitatis Tutela.* The specific reason for the presentation of this petition is due to the refusal of His Eminence, Roger Cardinal Mahony, Archbishop of Los Angeles, to grant a petition which I have presented to him in accord with canon 57, §1, on July 8, 2002. A negative response to this petition was communicated to me by the Vicar General of the Archdiocese of Los Angeles, Reverend Msgr. Terrance L. Fleming, and received by me on August 15, 2002. Therefore, in accord with canon 1737, §2, I am presenting this petition seeking the revocation of Cardinal Mahony's decision.

Briefly summarizing the events and circumstances which have necessitated this action: on February 12, 2002, at an appointment with Cardinal Mahony, he requested that I resign all offices that I held in the Archdiocese of Los Angeles due to incidents of sexual misconduct on my part that had occurred in 1987. Additionally, he directed me to depart my residence with the Maryknoll Sisters in Monrovia, California; and he requested that I present a petition to the Holy Father to return to the lay state, stating that due to a "new standard of measurement," there would never again be an opportunity for me to serve in any form of priestly ministry. In making these requests, he assured me that I would continue to receive a "generous" support package addressing my financial needs.

Addressing the incidents that took place in 1987, I fully acknowledge my responsibility for these sinful actions. This entire matter was completely resolved, however, at that time to the satisfaction of the persons whom I offended and the civil authorities of the State of California. I additionally complied with Cardinal Mahony's requests that I undertake therapy and spiritual direction addressing this misconduct. When I successfully completed these programs, I was returned to priestly ministry with certain restrictions with which I have fully complied. It was not deemed necessary or appropriate to impose canonical sanctions on me for these offenses, as the conditions noted in canon 1341 were addressed in a satisfactory manner.

In a spirit of reverence and obedience, however, I did comply with Cardinal Mahony's request and did submit on February 14, 2002, the resignations that he requested (Document 1); and I departed my residence with the Maryknoll Sisters. On February 15, 2002 REDACTED formally accepted my resignations (Document 2).

407902

Since I do remain completely dedicated to the ministry of the priesthood, I was not willing, however, to petition for a dispensation from the obligations arising from Sacred Orders.

On March 8, 2002, I received from the Vicar for Clergy a letter in which he explained to me what my future support would entail (Document 3). Since priests of the Archdiocese of Los Angeles do not own their own automobiles, I was provided with an immediate gift of $25,000 for the purpose of purchasing an automobile and an additional $8,000 to meet other immediate expenses such as room and board since I now had to provide for my own residence. However, due to the fact that the financial package being offered by the Archdiocese was completely inadequate in addressing my continuing expenses due to the high cost of living in southern California, I presented the Vicar for Clergy with a request on March 18, 2002, that my support be adjusted in light of the actual expenses that I was facing (Document 4).

On April 29, 2002, I received a response to this request from the Director of the Secretariat for Administrative Services informing me that, due to the circumstances that had led to my resignation from office, the Archdiocese would not provide me with additional assistance (Document 5). I would also note that the offer that I "ghost write" sentences for the Metropolitan Tribunal as a source of income that is noted in his letter has since been withdrawn. In a subsequent letter dated May 7, 2002, the Director also informed me that my health insurance would be discontinued in August of 2002 (Document 6).

Since the actions of the Archdiocese were not consistent with the Cardinal's assurances that I would be treated in an equitable and even "generous" fashion but were, in fact, penal in nature, I wrote directly to the Cardinal on May 8, 2002, asking that he address the issue of my adequate support (Document 7); and in support of this request I also presented him with an assessment of my income and expenses (Document 8). I did not receive a response to this letter.

Two months later, on July 7, 2002, I then presented Cardinal Mahony with a formal petition requesting a decree that would either return me to the full exercise of the priestly ministry as a priest in good standing or assure that I would receive adequate support and benefits if I am not to be permitted the exercise of my priestly ministry (Document 9). As noted at the outset of this petition, I have now received from the Vicar General a response to this petition indicating that Cardinal Mahony has denied the requests that I have made (Document 10).

As I expressed in my petition to the Cardinal, despite his verbal assurances to the contrary, the actions which have been taken in my regard have, in fact, constituted the unjust application of expiatory penalties improperly denying me even the basic sustenance that I require in order to provide for my living expenses. As such, these actions constitute a complete disregard of canon 221, §3, by imposing *de facto* expiatory penalties without due process of law.

Additionally, the imposition of penalties for these past actions at the present time fails to take into consideration the successful resolution of these matters in accord with the principles enunciated in canon 1341 and expressed by the Most Holy Father in his address to the American Cardinals in April of this year. Moreover, during the Jubilee Year two years ago, I wrote to Cardinal Mahony on March 12, 2000, in the spirit of canon 384 for the purpose of expressing my gratitude for his message of forgiveness and healing to which we are called in the New Millennium, especially in light of my own failings for which I again apologized (Document 11). The Cardinal acknowledged my letter on March 22, 2000, accepting my apology and supporting my continuing priestly ministry (Document 12).

I would also note that the period of prescription expressed in *Sacramentorum Sanctitatis Tutela*, art. 5, §2, which permits initiating a penal action for a period of ten years beyond a minor's eighteenth birthday has long since lapsed, as the individuals whom I offended are well past the age of twenty-eight years at the present time.

Your Eminence, I fully understand the concerns which Cardinal Mahony has relative to my sinful actions of fifteen years ago. I deeply regret these actions and have spent the past fifteen years attempting to rebuild my life in the service of the Church. There has been no repetition of this type of sinful misconduct on my part, and I am aware of no new complaints or reports being made to the Archdiocese relative to these past incidents.

In a spirit of reverence and obedience, I am willing to accept the Cardinal's desire that I refrain from all public ministry; however, in view of the fact that I remain completely dedicated to the priesthood, it is improper for the Cardinal by reason of canon 281 to permit the discontinuation of my medical benefits and the extreme limitation of my financial support which will eventually leave me completely destitute. It is the purpose of my petition, therefore, to ask that the Congregation for the Doctrine of the Faith direct His Eminence to provide me with sufficient remuneration, so as to allow me to meet my obligations and living expenses in accord with the financial report which I presented to the Cardinal with my original petition. In the alternative, I would request that the esteemed Congregation direct Cardinal Mahony to permit me to return to the public exercise of my priestly ministry by reason of the past resolution of these matters and in virtue of canon 1341, in order that I might be assured the rights and benefits afforded priests in ministry, including room and board. This will provide me with the ability to meet my financial needs through my service of the Christian faithful to whom I have dedicated my life and service as a priest.

I am prepared to cooperate fully in the Congregation's examination of this difficult matter. If it would be of assistance, I am prepared to provide Your Eminence with a report from my therapist who will attest to the fact that the issues of my past have been fully resolved and that I am not manifesting any problems at this time which would give rise to the repetition of misconduct of this nature. In closing, I do want to assure Your Eminence that I have provided Cardinal Mahony with a copy of this petition in its entirety.

With gratitude for the careful examination that this difficult matter will be afforded and with sentiments of the greatest respect and esteem, I am

Sincerely yours in Christ,

Reverend Gerald B. Fessard

cc: His Eminence, Roger Cardinal Mahony

407904

REDACTED

COPY

September 23, 2002

His Eminence, Joseph Cardinal Ratzinger
Prefect
Congregation for the Doctrine of the Faith
Piazza del S. Ufficio, 11
00120 Vatican City, **EUROPE**

Your Eminence:

I recently presented to your esteemed Congregation a petition for hierarchic recourse pursuant to Canon 1737, §1 against a decision by my Archbishop, Roger Cardinal Mahony, to remove me from priestly ministry. This petition, sent in care of the Apostolic Nuncio to the United States, Most Reverend Gabriel Montalvo, should have reached your office.

In the supplementary documents sent with my petition, a letter dated May 7, 2002, sent to me by the Reverend Monsignor Richard A. Loomis, Director of the archdiocesan Secretariat for Administrative Services, stated that my health insurance benefits would be terminated six months from the date of my dismissal. In a letter dated August 2 sent to the Archdiocese, and forwarded to me August 21, the insurance administrator's office informed me that these benefits would be terminated effective August 31, 2002 and that I would thereafter become fully responsible for providing my own medical, dental and vision insurance (Document 1). According to a government program available to terminated employees, I could maintain the level of my medical benefits at a monthly cost to me of $813.96.

In a letter dated August 23, Monsignor Loomis sent me a letter in which he stated that the Archdiocese of Los Angeles, "as a kindness and in order to aid in your transition," would assist with the cost of this insurance extension for a period of six months (Document 2). I received a check for this assistance on September 21, 2002. From Msgr. Loomis's letter, I assume that in six months' time, i.e., February 28, 2003, I will again become solely responsible for bearing the costs of my medical insurance.

I wanted you and the members of the Congregation to have this information to assist in your deliberations concerning my petition. In my opinion, this latest offer from the Archdiocese, while helpful, fails to address the deeper issues of my financial support and social assistance due to me in justice and according to Church law. The points made in my petition to the Congregation are still valid and beg for redress.

Thank you for your kind consideration of this matter. With best wishes and prayers as you address the issues I have presented, I am

Sincerely in Christ,

Rev. Gerald B. Fessard

407905

Enclosure

cc: His Eminence, Roger Cardinal Mahony

#10

Archdiocese of Los Angeles

Moderator of the Curia/
Vicar General
Office (213) 637-7255
Fax (213) 637-6123

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

August 9, 2002

CERTIFIED MAIL
7099 3400 0006 3721 4924

Reverend Gerald B. Fessard
REDACTED

Dear Father Fessard:

As I acknowledge receipt of your letter of July 7, 2002 to Cardinal Mahony regarding your financial support following your voluntary resignation from your offices at the Metropolitan Tribunal and chaplaincy to the Maryknoll Sisters in Monrovia, I wish to respond to the points that your raise in your letter.

Your letter presents a petition in accord with canon 57 of the *Code of Canon Law*. You petition that a decree be issued either that you be returned to the full exercise of priestly ministry as you assert is your right or, in the alternative, that a decree be issued that your support and benefits be adjusted according to the needs that you have delineated.

In response to the first request that a decree be issued returning you to the full exercise of priestly ministry as you assert is your right, it is important that we do not forget the circumstances that led to your resignation from the offices that you held and the reasons for your departure from priestly ministry. These circumstances have been clearly outlined in Monsignor Richard Loomis' letter to you of April 16, 2002 and admitted in your letter of July 7, 2002.

As you are aware, the climate in the United States generated by seven months of intense publicity on the perceived failure by bishops to protect the people entrusted to their care has made the return to ministry of any priest who has committed even a single act of sexual abuse with a minor impossible. This has been articulated in the *Charter for the Protection of Children and Young People* established by the United States Catholic Conference of Bishops.

Furthermore, I wish to remind you that your departure from ministry was completely voluntary following your meeting of February 14, 2002 with REDACTED

To characterize your conversation with the Cardinal and your decision to resign from the offices that you held as an administrative act imposed upon you by the Cardinal is quite inaccurate. Therefore, your petition for a decree in this matter is denied.

In regard to your request for a decree that your support and benefits be adjusted according to the needs that you delineate in your letter of July 7, 2002, I once again state that the matter of your financial assistance has also been detailed in Monsignor Loomis' recent letter to you. As a reminder, the *Code of Canon Law* indicates that a cleric is to be provided with sustenance and social assistance. However, it is not the intention of the Code to guarantee the continual financial support of the cleric who cannot be permitted to function as a priest or to provide him with sustenance or benefits that are equal to or greater than priests who remain in active ministry.

The financial arrangements that have been offered to you by the Archdiocese are more than adequate to respond to your needs and in fact quite generous. According to your letter you have already accepted and expended the transition payment of [redacted] and continue to receive the monthly Archdiocese Salary/SSI Reimbursement of [redacted]. It is not the intention of the Archdiocese to provide you with assistance to live in a lifestyle beyond the means of the ordinary member of the Christian faithful. Your decisions regarding the type of automobile that you purchased and your place of residence have substantially contributed to your perception that you do not have sufficient assistance from the Archdiocese. This perception, in the view of the Archdiocese, is faulty. There are certainly other areas of the Archdiocese where the assistance provided by the Archdiocese as well as any compensation that you would derive as you begin a new career can more than adequately provide for your needs. Canon 282 indicates that clerics are to cultivate a simple lifestyle. It is for these reasons that the Archdiocese believes that it has treated you fairly in regard to your assistance and your request for a decree is denied.

As preciously stated, I fully realize that these days and months have been difficult for you, as they have been for the Archdiocese and the Church. Please be assured of my prayers for you.

Sincerely,

Terrance L. Fleming

Reverend Monsignor Terrance L. Fleming, S.T.D., V.G.
Moderator of the Curia/Vicar General

407907

Fessard, Father Gerald

Known history of sexual abuse of minors:

1964-1969 During his time as a seminarian, Father Fessard served some five summers as a counselor at a youth summer camp:
Father self-disclosed in 1987 that when he was acting as a counselor tending ill or upset children late at night, he gained "some gratification from touching children, putting my hands on their legs, genitals, buttocks while asleep. For kids away from home, I saw myself as a father or mother figure and tried to be paternal and nurturing. For some reason, I related this occasional activity with those feelings. I have never overtly solicited sexual activity with children; the only instances occurred when they were asleep."

Post 1972 In the same 1987 self-disclosure, he admitted to "occasional" episodes since those summers. Father Fessard also self-disclosed that, after ordination, he would "occasionally" take young people on camping trips or overnights and touch them when they were asleep. There was no "end date" disclosed for this behavior.

1972-1975 An adult man came forward in 1998, with a complaint that, during a dinner party given by his parents, Father Fessard came into his room when he was a child, about nine (9) years old. Father Fessard uncovered him and touched his genitals. The man said that he was terrified and pretended to be asleep. The man said, "There would be no reason to enter the children's bedroom other than molestation or mistake." This was during Father Fessard's first assignment as a priest at Saint Charles Borromeo Parish, North Hollywood.

This man said that his specific recollection of this was prompted by his brother recounting a dream from his childhood that described the same scenario. He believes Father Fessard also molested his brother.

Early 1987 During Father's assignment at Our Lady Queen of Angels High School Seminary, two high-school seminarians brought forward accusations that he touched their genitals while they were "asleep" in the seminary dorms. They alleged that several other seminarians had also been molested and that Father would "prowl the dorms at night." This report occurred when Father Fessard had only been on the seminary faculty for a matter of months.

At the same time, three high-school seminarians alleged similar inappropriate behavior by Father Fessard, including sharing a bed with him. They said that he embraced, caressed and touched them in an immodest manner. He had taken them on an overnight to his cabin.

Four criminal charges brought by law enforcement were reduced to two charges (one of battery, one of child molestation) by a plea bargain. Father pled *nolo contendere* to both charges and was sentenced to three years of probation (ending 6/30/1990) and mandated psychological treatment by the court.

Following treatment, Father Fessard was returned to ministry. He was forbidden unsupervised contact with minors. He continued in individual therapy.

1994 Complaints arose from five (5) teenage girls (12 to 14 years old) that Father Fessard would attend their nighttime youth group meetings apparently "under the influence of alcohol." This occurred in Saint Luke Parish, Temple City, The girls were very uncomfortable with his behavior, which included patting them on the behind. One mother reported that she had seen Father Fessard alone with her daughter and felt the situation was not appropriate.

Behavior in this instance seems to have been restricted to inappropriate patting, touching and "being too close for comfort." Being in an unsupervised situation with minors violated Father Fessard's restriction. He should not have even attended youth group meetings.

After treatment, a special living situation was eventually arranged at a convent of retired women religious.

11/2000 A young-adult man attending Mass at Nativity Parish, South El Monte, a parish in which Father Fessard was giving sacramental help on weekends publicly denounced Father to the pastor, music minister and choir members that "he is a child molester." This young adult knew the entire story from the high school seminary.

Attempts by the pastor to make further contact were unsuccessful. He did learn, however, that the young man was a former high-school seminarian. It is unknown if he was a victim of molestation.

Father Fessard was asked to refrain from any further weekend parish involvement.

Summary: Known instances of sexual abuse of minors
10 to 12 (male & female) occasions self-disclosed from before ordination
1 adult reporting childhood abuse in first assignment (c. 1972-1974)
Occasional instances self-disclosed post-ordination (number unknown)
5 high-school seminarians (plea bargained to 2 criminal charges)
5 teenage girls in 1994

Father Gerald Fessard

Excerpts from submissions of those entrusted with Father Fessard's psychological assessment and treatment:

The opinion of REDACTED drawn from the report of July 23, 1987, from Jemez Springs, New Mexico, following Father Fessard's arrest and sentencing for battery and child molestation –

> Commenting on Father Fessard's self-disclosure of fondling sleeping boys when he was a summer camp counselor:
>
> Father Fessard "is both psychologically and literally in the dark" about his acting out, in that he approached his victims when he presumed they were asleep.
>
> "It seems to a great extent that he kept the behavior of touching boys' genitals when they were sleeping far apart from the rest of his life;
>
> - that in some ways, he had compartmentalized that
> - and had to some degree rationalized it
> - and in other ways, more ignored it
> - but kept it away from himself and did not internalize it much in terms of his self-image."
>
> The abuse of alcohol was also seen as aggravating the likelihood of a relapse into sexual misconduct.
>
> Recommendations:
> - Continuing weekly psychotherapy
> - Father Fessard must be very conservative about drinking. The potential for sexual acting out is greatly increased by alcohol; there should be no drinking any time when minors are going to be present
> - Not to spend time alone with adolescents, no physical contact with minors other than a handshake, follow all restrictions of his Probation (Court imposed) and any restrictions imposed by the Archdiocese.

# # # # #

The following points are drawn from the treatment team at Saint Luke's Institute, Maryland, from the assessment following Father Fessard's further difficulties at Saint Luke Parish, Temple City, in 1994 –

- Father Fessard states that his sexual acting out with minors began when he was approximately age 19 or 20 and working at a camp. Father Fessard states that he began touching adolescent males who were between the ages of 12 and 14 when he thought they were asleep.

- He states that the touching occurred over five summers when he was young. He reportedly touched minors on 10 to 12 occasions.
- He also admits that he has sexually touched 13-year-old females who were also asleep.
- Father Fessard says that, after ordination, between 1972 and 1987, there were occasional overnights when he would touch minors. He states that he would sometimes do this after ordination when he would take minors on overnights and on camping trips. He reports that he would touch the testicles, penis and sometimes the buttocks of these young people.
- Father Fessard states that he is more attracted to "feminine" boys who are slender and have smooth bodies.
- DIAGNOSIS:
    - Paraphilia not otherwise specified – ephebophilia, sexually attracted to both males and females, non-exclusive
    - Alcohol dependence in early remission
    - Dependent and narcissistic traits
- Recommendations
    - "... Father Fessard is to have no contact with male or female minors. In light of Father Fessard's recent difficulties it seems psychologically appropriate to make this recommendation very strongly. Father Fessard's history is one where he has committed serious sexual offenses against minors over a long period of time. We therefore recommend that any assignment or living situation take into account that contact with minors will increase Father Fessard's risk for inappropriate behavior.
    - Recommend continued attendance at Alcoholics Anonymous
    - Recommend continued outpatient therapy

Following his treatment at Jemez Springs, Father was returned to a limited ministry (Marriage Tribunal) and ongoing therapy, which included the implementation of the recommendations from the treatment team that he not have unsupervised access to minors. An assignment as chaplain to retired religious women was arranged. This included residence in a private apartment attached to the convent.

Clergy Assignment Record (Detailed)

Rev Gerald B. Fessard

Current Primary Assignment:

Birth Date:	7/14/1946	*Age:*	56
Birth Place:	Little Rock, Arkansas, U.S.A.	*Deanery:*	22
Diaconate Ordination:			
Priesthood Ordination:	5/27/1972		
Diocese Name:	Archdiocese of Los Angeles		
Date of Incardination:	5/27/1972		
Ministry Status:	Inactive Leave		

Mail address REDACTED

Home phone

Cell phone

Seminary: St. John Seminary, Camarillo

****

Assignment History

Assignment	*Beginning Date*	*Completion Date*
St. Charles Borromeo Catholic Church, North Hollywood -- Associate Pastor (Parochial Vicar), Active Service	6/12/1972	6/15/1975
St. Pius X Catholic Church, Santa Fe Springs -- Associate Pastor (Parochial Vicar), Active Service	6/16/1975	7/14/1977
Santa Clara High School, Oxnard -- Faculty, Active Service	7/15/1977	7/8/1980
Santa Clara Catholic Church, Oxnard -- Resident, Active Service	7/15/1977	7/8/1980
St. Bernard High School, Playa del Rey -- Faculty, Active Service	7/9/1980	7/8/1985
St. Clement Catholic Church, Santa Monica -- Resident, Active Service	7/9/1980	6/14/1981
St. Eugene Catholic Church, Los Angeles -- Resident, Active Service	6/15/1981	7/8/1985
Archdiocesan Catholic Center, Los Angeles -- Superintendent, Active Service	6/15/1981	7/8/1985
St. Paul Catholic Church, Los Angeles -- Resident, Active Service	7/9/1985	6/28/1986

St. Martin of Tours Catholic Church, Los Angeles -- Resident, Active Service	6/29/1986	1/30/1987
Queen of Angels Seminary, Mission Hills -- Dean of Studies, Active Service	2/1/1987	4/2/1987
-- , In Transition	4/3/1987	7/7/1987
-- , Sick Leave	7/8/1987	1/31/1988
Archdiocesan Catholic Center, Los Angeles -- Tribunal, Active Service	2/1/1988	7/30/1989
St. Timothy Catholic Church, Los Angeles -- Resident, Active Service	2/1/1988	7/30/1989
-- Tribunal, Education Leave	8/1/1989	8/21/1991
St. Luke the Evangelist Catholic Church, Temple City -- Resident, Active Service	8/22/1991	9/25/1994
Archdiocesan Catholic Center, Los Angeles -- Tribunal, Active Service	8/22/1991	2/16/2002
St. Gregory Nazianzen Catholic Church, Los Angeles -- Resident, Active Service	9/26/1994	2/4/1995
Maryknoll Convent, Monrovia -- Chaplain, Active Service	2/5/1995	2/16/2002
Maryknoll Convent, Monrovia -- Resident, Active Service	2/5/1995	2/16/2002
-- , Inactive Leave	2/16/2002	

****

Background Information

Salutation:	Gary
Social Security Number:	REDACTED
Citizenship:	U.S.A.
Immigration Status:	Citizen
Green Card End Date:	
Payroll in lieu of stipends:	☑
Enrolled in Pension Plan:	☐
Receiving Pension?	☐
Retired in Rectory?	☐
Will Filed?	☑ *Reference:* ☑
Power of Attoney Health Care:	☐
Power of Attorney Health Care:	
Power of Attorney Finance:	☑
Power of Attorney Finance:	REDACTED

407913

Archdiocese of Los Angeles

Office of the
Archdiocesan Tribunal
(213) 637-7245

3424
Wilshire
Boulevard

Los Angeles
California
90010-2241

His Eminence Cardinal Roger M. Mahony
Archbishop of Los Angeles
Archdiocesan Catholic Center
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

PERSONAL

February 14, 2002

Your Eminence:

Following upon our meeting of last Tuesday, February 12, 2002, I am hereby submitting my resignation from the following offices:

Adjutant Judicial Vicar
Delegate in Matrimonial Matters
Judge and Defender of the Bond
Advocate
Notary
Chaplain to Maryknoll Sisters, Monrovia

I offer these resignations to be effective Saturday, February 16, 2002. I thank you for your confidence in appointing me to serve in these offices, and I trust that the Lord has blessed my service with some effectiveness.

Sincerely in Christ,

Rev. Gerald B. Fessard, M.A., J.C.L.

Cc: Rev. Msgr. Craig A. Cox, J.C.D.
REDACTED

407914

#2

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2241

February 15, 2002

PERSONAL

Rev. Gerald B. Fessard, M.A., J.C.L.

Dear Father Fessard:

I have received your letter dated February 14, 2002 in which you submit your resignation, effective February 16, 2002, from the following offices:

1. Adjutant Judicial Vicar
2. Delegate in Matrimonial Matters
3. Judge and Defender of the Bond
4. Advocate
5. Notary
6. Chaplain to the Maryknoll Sisters, Monrovia

I am grateful to you for your diligent carrying out of these special offices for the good of the Church.

Sincerely yours in Christ,

+ Roger Card. Mahony

His Eminence
Cardinal Roger M. Mahony
Archbishop of Los Angeles

j

407915

PERSONAL HISTORY SHEET
VILLA LOUIS MARTIN
SERVANTS OF THE PARACLETE
JEMEZ SPRINGS, NEW MEXICO 87025

Name: Gerald Buckley Fessard

Date: July 8, 1987

Current Address: REDACTED

REDACTED

Telephone Number: REDACTED

Referred to Foundation House by: Archbishop Roger Mahony, Msgr. Thomas Curry

Date of Birth: July 14, 1946

Place of Birth: Little Rock, Arkansas

Age: 40

Most Recent Occupation: Dean of Studies, Queen of Angels Junior Seminary

Education (Places & dates):

Grade school: St. Francis of Assisi School
Forrest City, AR
1951 to 1958

Sacred Heart School
Texarkana, TX
1958 to 1960

High school: University of San Diego High School
San Diego, CA
1960 to 1962

Queen of Angels Junior Seminary
Mission Hills, CA
1962 to 1964

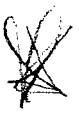
College: St. John's Seminary
Camarillo, CA
1964 to 1968

Seminary: St. John's Major Seminary
Camarillo, CA
1968 to 1972

Degrees: B.A. (Philosophy) St. John's College - 1968
M. Div. (equiv) St. Jonn's Theologate - 1972

REDACTED

REDACTED



It was during my early summer camp experience that I began to gain some gratification from touching children, putting my hand on their legs, genitals, buttocks while they were asleep. It probably started as a result of staying up with a kid with asthma, or nightmares, etc. For kids away from home, I saw myself as a father/mother figure and tried to be both paternal and nurturing. For some reason, I related this occasional activity to those feelings. I have never overtly solicited sexual activity with children; the only instances occurred when they were asleep. I have also never had any sexual attraction or desire or activity with adult males, nor have I ever had sexual intercourse.

Because of my seeing this as part of being nurturing or "fatherly," I never really related it to my celibate commitment. After leaving summer camp work, such opportunities were very few, but they did happen occasionally after ordination, on overnight trips with kids.

REDACTED

REDACTED

REDACTED I am greatly dissatisfied and unhappy with my inability to control the compulsion which has resulted in my having to leave active ministry for a while. On the whole, I am happy, knowing that I am on the way towards reintegrating my life, and feel that God really loves me for who I am.

REDACTED

What are your weaknesses?:

I tend to be proud at times, can be too sure of myself and run over people at times, am a (hopefully reformed) perfectionist, have a compulsion toward abnormal sexual behavior involving children, can become compulsive in work, enjoy social drinking which at times has led me to overindulge.

REDACTED

REDACTED

Why have you come to Foundation House?:

I am here because Archbishop Mahony feels that this would be the best place for me to learn more about the weakness which has devastated my life and ministry, and also because the court has set this as part of the probation and sentence resulting from the misdemeanor charges brought against me as a result of my actions involving two students at the seminary where I taught. I want to cooperate fully with the archdiocese and with the staff here to facilitate my return to an effective, holy ministry as priest.

What is your view of the future? (Include ambitions, desired work assignments, feelings):

I am very hopeful, both about growing here and about returning to active ministry. I have anticipated coming here for the past three months and believe that the Lord wants me here as part of His plan for my salvation and the good of the Church. I fully believe and expect that, with help, I can cope with my

weaknesses, and that I will return to priesthood, hopefully in Los Angeles. Fortunately, there has been no publicity resulting from my actions, and I have been assured by archdiocesan authorities that they want me back, have confidence in me, and that a ministry can be found for me. I want to keep all my options open, however, to see that my future work is not only pastorally beneficial, but also fulfilling to me as a person. I feel trusting and confident about the future.

REDACTED

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

Reverend Gerald Fessard D.O.B.: 07/14/46
Referred by: Rev. William Perri, s.P., M.A., D. Min.
Referral Question: Psychological Evaluation & Testing
REDACTED

Place of Evaluation: Servants of the Paraclete
Foundation House
Jemez Springs, New Mexico 87025
Date of Evaluation: July 09, 1987

Father Fessard is 40-year-old diocesan priest who was referred to Foundation House by his Superiors, Archbishop Mahony and Monsignor Curry. The immediately precipitating event was a report from students at the junior seminary where he was working, that he had molested them. That was followed by a report to the police and Father Fessard is presently on a thirty-six month probation on two misdemeanor charges, child molestation and battery, to which he had pleaded no contest. Father Fessard is quite open about acknowledging he has a twenty-year history of this problem and, at present, he seems sincerely to want to work on this issue so that it does not recur. He feels it had become a compulsion in him and although he never thought of it as overly "sexual," he did recognize it was wrong and would feel guilty and remorseful. He also had never touched any minor other than when he thought they were asleep, (a very common belief in strategy among people with this problem) because in his mind he felt that they would not be aware of it, and so it would not be damaging to them. He does now describe this as having been a violation of their well-being and his having taken advantage of them and betrayed their trust in him. REDACTED
REDACTED

REDACTED

Thank you for the opportunity of participating in the evaluation of Father Gerald Fessard.

REDACTED Ph.D.
Certified Psychologist

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

PSYCHIATRIC EVALUATION/REVEREND GERALD FESSARD JULY 08, 1987
BY: REDACTED M.D.

Gerald is a 40-year-old diocesan priest from Los Angeles. While he was dean of studies at a high school earlier this year, in April he touched two male students while they were asleep, touching their genitals through their night clothes. This was reported and he was removed April 2nd, reported to police also, who investigated and arrested him June 2nd, with a court appearance June 23rd, which resulted in probation for thirty-six months, with time here, for misdemeanor and battery charges. He has been seeing a psychiatrist in Los Angeles since April. A week or two after the above incident, he took two boys with him on an outing, sleeping overnight in a cabin. They slept in the same bed and he was accused of having his arm over one boy and a leg over another. He was reported, but no charges were filed. He states he is devastated by these occurences. REDACTED

REDACTED REDACTED
REDACTED

at the age of 20, while working in a boys' camp, there were several similar episodes and there have been occasional such episodes since then, if I understand rightly. He says that he does not understand why these things happen, feels that they are compulsive and puzzling to him. He states that he has nurturing feelings toward young boys, but does not think of himself as drawn to them sexually, as a rule. REDACTED
REDACTED

REDACTED

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.



Jemez Springs, New Mexico 87025 (505) 829-3586
August 17, 1987

Most Reverend Roger Mahony, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Archbishop Mahony:

Here is the first report on Reverend Gerald Fessard who is currently in the program here at Foundation House.

REDACTED

REDACTED

REDACTED
REDACTED

Reverend Gerald Fessard (6)

REDACTED

PERSONAL COUNSELING AND PLACEMENT 08/05/87 (Rev. Rodrigo Ortiz, O.F.M., M.S.W.): Gary explored several concrete possibilities for his future ministry. He did a ten-year projection of his life and found out that he prefers being in the active ministry, especially in the area of teaching, college chaplaincy and counseling. One of Gary's goals is to become a pastor in the far future. Some areas of administration also appeal to Gary. He enjoys doing weekend ministry, however, he is not attracted to becoming a full time associate pastor. I think Gary does well in jobs that call for his autonomy. He is doing well and he shows to be highly motivated to benefit from the program in general, and from the sessions I have with him and the peer evaluation groups.

If you have any questions or comments concerning this report, please do not hesitate to contact me.

Sincerely,

William D. Perri, S

(Rev.) William D. Perri, s.P., M.A., D.Min.
Director: Foundation House

REDACTED

cc: REDACTED

I have read the above report and approve of its being mailed. I so signify my consent by my signature below.

Gerald B Fessard

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

September 23, 1987

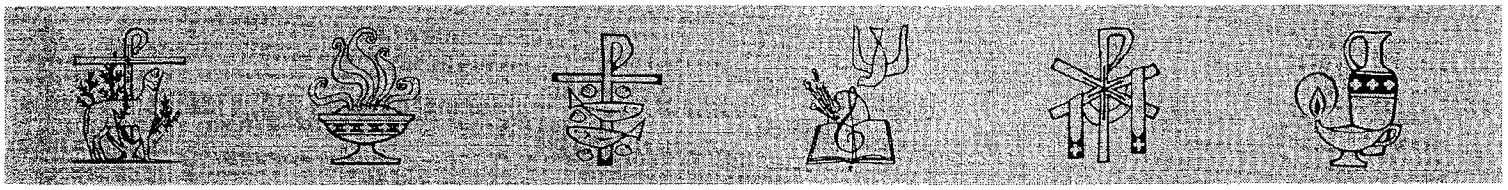
Most Reverend Roger Mahony, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Archbishop Mahony:

Here is the second report on Reverend Gerald Fessard who is currently in the program here at Foundation House.

REDACTED

REDACTED



Reverend Gerald Fessard (10)

REDACTED

DIRECTOR'S COMMENTS: As of October 15, 1987 I will no longer be the Director of the Foundation House Program. The new Director is Very Rev. Liam Hoare, s.P., the new Servant General of the Servants of the Paraclete. You may address all future inquiries to him.

I want to personally thank you, Archbishop, for your support of our minisrty here. It has been a pleasure working with you. In particular, would you please convey my deepest gratitude to Tom Curry. He has been very easy to work with, cooperative and insightful. You certanly have a very good advisor in Tom. Please take care of yourselves.

If you have any questions or comments concerning this report, please do not hesitate to contact me.

Sincerely,

William D. Perri, s.P.

(Rev.) William D. Perri, s.P., M.A., D.Min.
Director: Foundation House

REDACTED

cc: REDACTED

I have read the above report and approve of its being mailed. I so signify my consent by my signature below.

Gerald B Fessard

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

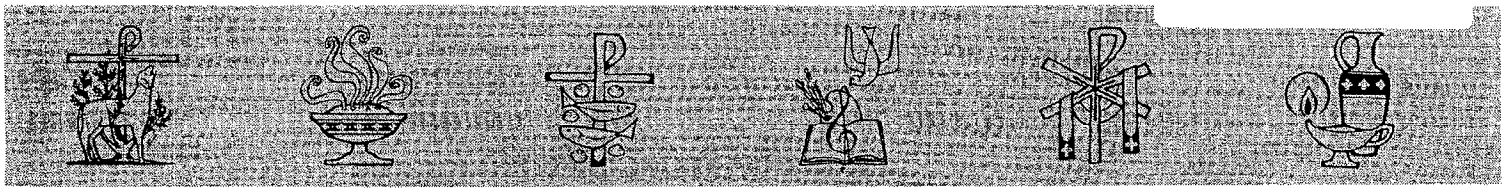
October 30 1987

Most Reverend Roger Mahony, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Archbishop Mahony:

Here is the third report on Reverend Gerald Fessard who is currently in the program here at Foundation House.

REDACTED



Reverend Gerald Fessard (7)

REDACTED

Sincerely,

Liam Hoare s.P. M.A.

(Very Rev.) Wm. (Liam) Hoare, s.P., M.A.
Director: Foundation House

LH:ss

I have read the above report and approve of its being mailed. I so signify my consent by my signature below.

Gerald B Fessard

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

"DISCHARGE CONFERENCE" - TOPICS FOR DISCUSSION

GARY FESSARD
November 19, 1987

I. Review of Therapeutic Issues

A. Repression of Feelings
B. Lack of Intimacy, Fear of Self-Disclosure
C. Poor Handling of Stress, Rejection
D. Sexuality and Sexual Behavior

1. Repression
2. Denial
3. Situational Character: sexual acting out "under cover of darkness," literal and psychological

II. Efforts at "re-forming" and self-renewal

A. Gains in self-disclosure, "facing the issues," recognizing sexuality and accepting it.

B. Allowing myself to "own" my feelings, taking risks, being vulnerable

C. Recognizing the harm I have done to youth, myself, the Church and recognizing and beginning to deal with the work stresses, hurt feelings, rejection, which has been a pattern or prelude to my acting out.

D. Honesty in individual and group therapy, beginning to take personal relationships with my sister and close friends to a deeper level of honesty and self-disclosure.

E. Accepting myself for who I am, not just for what I am able to do.

III. Reflections on What Is Important to Me Now & for the Immediate Future

A. Maintaining a sense of personal well-being and self-worth based on full, non-judging self-knowledge and acceptance.

B. Ability to recognize and embrace the "God within me," my true self.

C. A healthy acceptance and awareness of my sexuality, and the appropriate expression of who I am as a sexual person.

D. Return to priestly ministry in a healthy, liberating and fruitful environment.

E. Affirming, restful living arrangements for personal renewal, hopefully with the prayerful and recreational companionship of an accepting, understanding pastor and brother priests.

F. A regular, effective and challenging support group and spiritual director.

G. A practical, "vicarious" way of making amends for the past e.g. by almsgiving or support of a needy young person's education, etc.

IV. Some Suggested Practical Steps to Insure My Own Well-being and Safety, and the Needs of the Archdiocese

DAILY PRAYER + MEDITATION PERIOD

A. Regular (monthly) meetings with a Spiritual Director.
B. Obtaining and having regular (monthly) meetings with a suitable therapist.
C. Formation of and regular (e.g. bi-monthly) meetings with a priest support group.
D. Maintaining contact with and accountability to archdiocesan personnel, as well as my probation officer.
E. Maintaining a regular exercise program, with suitable time allowed for this almost daily.
F. Regular contact with close personal adult friends.
G. Observance of suitable restrictions on contact with minors, to include the following:

1. No vacations or overnight trips with minors.

2. No formal or regular work with youth groups.

3. No minors in my living quarters in the rectory.

4. No staying in homes with minors without parents present.

5. No drinking of alcohol in the presence of minors.

6. No regular counseling of minors.

V. Some Questions & Expectations regarding Assignment and Living Arrangements

A. Residence in a parish whose pastor I know well and would feel comfortable in being accountable to (e.g. St. Martin of Tours)

B. Location conducive to regular physical exercise program, e.g. west side of Los Angeles

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

December 23, 1987

Most Reverend Roger Mahony, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Archbishop Mahony,

With the conclusion of the Foundation House Program, I would like to apprise you of my final recommendations relative to Fr. Gerald Fessard. These are based on an overview and have been made in consultation with Staff observations. If there are any questions or comments, please feel free to contact me.

1) Psychotherapy - Gary needs to continue in once a week individual therapy for at least six months. Beyond that, the need for this can be evaluated, by Gary, his therapist, and by the Archdiocese.

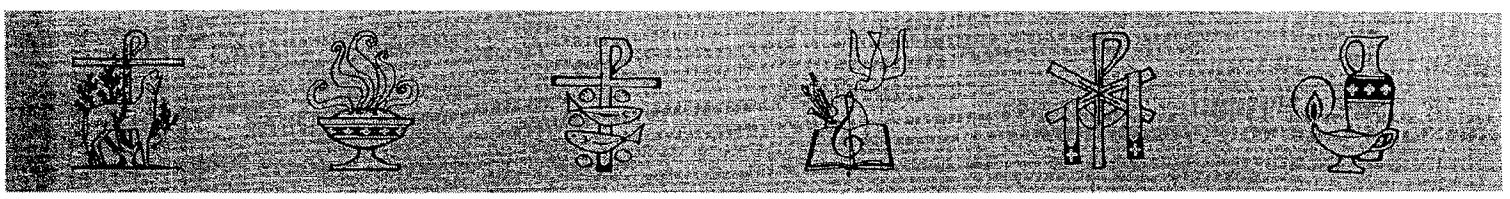
REDACTED

REDACTED his sexual acting out are clearly linking together and he needs to be very aware of that. Any time he is in a situation where there are likely to be adolescents around, especially in a vulnerable situation such as sleeping, he needs to refrain from drinking. Examples of this would be if he is staying over at a friend's house that has children, he needs to not drink when he is at their house; if he is going to be spending the night there or going to be staying into the evening. Likewise, he needs to not drink in any situation Cere adolescents are present.

5) He needs to respect the conditions as set up in the meeting with Monsignor Tom Curry. Examples of this are that he not spend alone time with adolescents, that there be no touching of adolescents except for hand shaking, etc.

4895

I trust that you will give these your sincere consideration and attention. The success of our program depends greatly upon your awareness and cooperation. You will also find enclosed a copy of the final therapeutic reports.



Our sincerest thanks for your confidence in our program. We stand ready to be of any possible assistance in the future. Prayerful best wishes for a blessed Christmas Season and a Happy New Year.

Sincerely for Christ and His priests,

Liam Hoare, s.p.

(Very Rev.) Liam J. Hoare, s.P., M.A., C.A.C.
Director of Foundation House

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

December 23, 1987

Most Reverend Roger Mahony, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
Los Angeles, California 90015

Dear Archbishop Mahony:

Here is the final report on Reverend Gerald Fessard who is currently in the program here at Foundation House.

REDACTED

REDACTED

PSYCHOLOGICAL 10/15/87 (REDACTED , Ph.D.): We spent some time talking about placement. Gary has continued concerns about his placement, what sort of restrictions will be on him. He has been doing some work in terms of setting up some possibilities for himself and checking out places where he could live and places where he could work. He does not want to be pushy about and does not to preempt any plans that the archdiocese may have for him and at the same time he does not want to go into his meeting with the Personel Director empty handed without any suggestions at all. He seems to be dealing with this in an appropriate way. We talked some also about the ritual of his sexual behavior and how he needs to understand that better: to be able to recognize some of the signs of it and know what is a danger signal and what is not. He has

clearly done something about that and I suspect needs to do a bit more thinking about it. He seems basically realistic in terms of his contact with kids but at the same time has some questions about exactly where the lines need to be drawn in terms of when he can be around kids, under what circumstances, etc. As I say, he is not being particularly unrealistic about it and seems to be in the right ball park. It is a matter of working out in discussing his sexual behavioral patterns: what would be acceptable and what would not be at this point.

REDACTED

PERSONAL COUNSELING AND PLACEMENT 11/04/87 REDACTED
REDACTED Gerald is doing well in therapy, both individually and in group. Gerald talked about his plans for placement. He was apprehensive of his reentry in Los Angeles. He is willing to share his thoughts with the priest in charge of personnel who is coming to visit in a few days. Gerald's prognosis looks very good.

REDACTED

PSYCHOLOGICAL 11/05/87 (REDACTED Ph.D.): We talked about the meeting with his personnel director which will be upcoming in a couple of weeks. He is quite nervous about that. He is disappointed to hear that one of the things he was hoping to do (to teach at a college) required more degrees than he had and that avenue may now be closed for him. We spent much of the time summing up some of the work that we had done and looking at some of the issues that he had gone through. We talked specifically about his sexuality for a while, also

we dealt with how he got into the trouble that he was in. REDACTED
REDACTED

REDACTED

PSYCHOLOGICAL 11/11/87 REDACTED Ph.D.): Gary talked about being moduled out pretty much (most people are talking about it). We spent some time talking about recommendations for psychotherapy after he finishes here. I had told him that it was my bet that the diocese will be requiring this. REDACTED
REDACTED

Reverend Gerald Fessard (6)

REDACTED

PERSONAL COUNSELING AND PLACEMENT 11/24/87 REDACTED

REDACTED: Today Gary and I processed the meeting with Monsignor Tom Curry from the Archdiocese of Los Angeles. Gary has done very well in the program. He is healthily anxious to go back into ministry and serve well the archdiocese. I recommend that Gary continue seeing a qualified therapist in Los Angeles, that he find a good spiritual director, and that he has regular and meaningful contact and support with some of his fellow priests.

December 3, 1987

I, GERALD B. FESSARD, am giving my permission for this final report to be sent. I have read it, except for the recommendations Fr. Liam Hoare has added after my departure from the Foundation House program, and I approve of its being mailed.

Gerald B Fessard
SIGNATURE

REDACTED

SIGNATURE OF WITNESS

12/1/87
DATE SIGNED

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal Regulation (42 CFR. Part 2) prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A general authorization for the release of medical or other information is NOT sufficient for this purpose.

MEMORANDUM

CONFIDENTIAL

DATE: April 26, 1988

FROM: Monsignor Curry

TO: Archbishop Mahony

RE: Meeting with REDACTED

COPY

I had a long and very productive meeting with REDACTED yesterday. He meets on a monthly basis with six of our priests who have been in therapy at Jemez Springs. He appears to be getting along very well with them, and I have heard good reports from them about him. The following are some short comments on each of the priests:

REDACTED REDACTED
REDACTED

REDACTED
REDACTED

REDACTED

REDACTED

[illegible]

Gary Fessard: Gary is doing well and working hard. REDACTEDREDACTED is aware that I have confronted Gary about some of his requests, and that I will continue to work with him on his drinking.

RELEASE OF CONFIDENTIAL INFORMATION

To: The Professional Staffs of: Foundation House
Servants of the Paraclete
Jemez Springs, New Mexico 87025
(505) 829-3586

Sma.
P.72

I hereby authorize you to provide:

MOST REV. ROGER MAHONY, D.D

~~REV. MSGR. THOMAS CURRY~~

1531 W. NINTH ST.

LOS ANGELES, CA 90015

with a complete report of my Follow-up Workshop Week spent with the Servants of the Paraclete. The recipients of this material are also duly notified that once these documents have been read, THEY ARE TO BE DESTROYED OR RETURNED TO FR. LIAM HOARE, s.p., WHO WILL SEE TO THEIR DISPOSAL. This policy is mandated by present legal advisement and for the protection of the Individual, Bishop/Superior, Diocesec/Community, and our own Program.

Gerald B Dassard
(Signature)

REDACTED

(Signature of Witness)

June 8, 1988
(Date)

4883

SERVANTS of the PARACLETE

Jemez Springs, New Mexico 87025 (505) 829-3586

June 30, 1988

THE MOST REVEREND ROGER MAHONY, D.D.
Archbishop of Los Angeles
1531 West Ninth Street
LOS ANGELES, CA 90015

Your Excellency,

The Director of Foundation House, The Very Reverend Liam J. Hoare, s.P., in his capacity as Servant General of the Servants of the Paraclete, is presently conducting Visitation of the English Houses of the Community. On his behalf, I would like to express our gratitude for allowing FATHER GERALD B. FESSARD to take part in the AFTERCARE/FOLLOW-UP PROGRAM.

Enclosed you will find a copy of the Reports of each of the Therapists. I feel that they are rather self-evident and speak to the issues in question. Fr. Liam met with each man personally and will be available for any further inquiries as of July 11th.

Once more, we ask you to PLEASE DESTROY THESE PAGES AND ANY OTHER MATERIAL YOU HAVE RECEIVED FROM US. This is stated for your own and our legal protection.

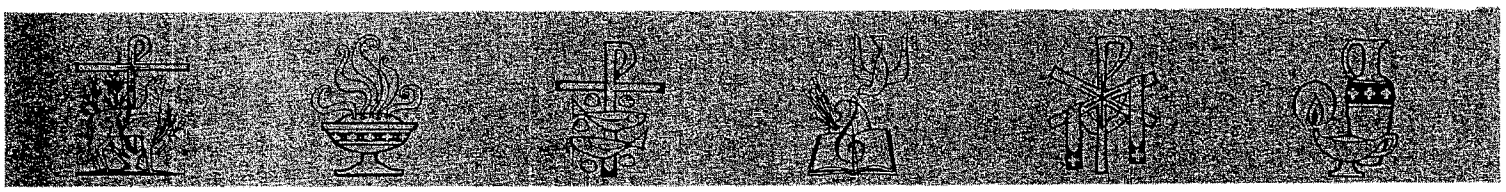
Again, our thanks for your interest and consideration, and, for allowing us a part in the recovery process. The men in attendance expressed their satifaction, and we feel that the renewed contact with fellow members is a needed source of evaluation and encouragement. Wishing you all the best for the summer, with kind and prayerful regards, I remain

Sincerely for Christ and His priests,

Neil R. Saller, T.O.R.

(Rev.) Nell R. Saller, T.O.R., J.U.L.
Director of Villa Louis Martin
Acting-Director of Foundation House

4880



FOLLOW-UP WORKSHOP REPORT: Revered Gerald Fessard

REDACTED

REDACTED In the latter part of our session we talked about his plans for the future and the possibility of his going to Catholic University to pursue studies in Canon Law. Gary worked very hard during his module and I see him continuing to make progress both spiritually and psychologically. I see him as a fine priest who will be a real asset to the Archdiocese of Los Angeles. sd

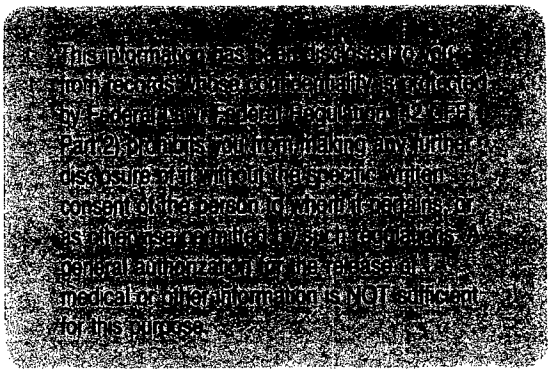
REDACTED

PSYCHOLOGICAL 06/08/88 (Robert Goodkind, Ph.D.): Gary has made real peace even since the follow-up visit I made to Los Angeles. On the outside things have not gone that well for Gary. His living arrangements have been less than ideal. It's taken him sometime to adjust to the kind of work that he is doing which is not exactly what he wanted to be doing. There was some tension between himself and the diocesan office about expectations for him. His probation officer was insistant that he not hear Confessions, something that was important to Gary and so he's been unable to do that. There have been a number of things that have not gone quite the way Gary wanted them to. At the time of the Fall visit

he was still feeling some of the pressure from them although not being a particularly bad sport about it. At this point he seems much more resigned to some of the difficult things and working very hard with some very real success to make the best of the situation. He has decided pretty much to pursue the training in Canon Law and seems prepared to really devote himself to this kind of work. Although the living situation remains less than ideal, however, it helps to keep in focus the necessity for other relationships to fulfill those kinds of needs. He is hoping to get the prohibition on his hearing Confessions lifted, although that will remain to be seen not until the end of this summer when he appears again before the judge. He continues in individual therapy and feels very positive about that experience. Likewise he's in the every-other-week group therapy REDACTED

REDACTED

REDACTED



REDACTED

CONFIDENTIAL

CONFIDENTIAL CLIENT INFORMATION

Client's Name: Rev. Gerald Fessard

Rev. Gerald Fessard has been receiving weekly individual and group-psychotherapy from me since January, 1988. REDACTED

REDACTED

REDACTED

REDACTED

Fr. Fessard has achieved a productive understanding and insight into the nature and dynamics of his inappropriate behavior in the past. Currently there is no danger of his acting out in a sexually inappropriate manner. It is this examiner's professional opinion that he does not require to continue psychotherapy as a necessary means to protect himself from acting out.

REDACTED

REDACTED

With the approval of his superiors and with recommendation of his therapist, Father Fessard has obtained admission into a University in Rome to continue his training in Ecclesiastical Law. He has wisely relinquished his previous career of teaching young people; and he has successfully entered into a productive ministry with adults. REDACTED

REDACTED

REDACTED

He will continue to receive spiritual direction while doing his studies in Rome. Fr.Fessard has made plans to see his therapist whenever he returns to the United States for vacation during his studies.

Recommendations:

---

1. It is this examiner's opinion that Father Fessard does not require to continue in psychotherapy at present. He does require to continue to receive spiritual direction on a regular basis.

2. It would be quite desirable that Father Fessard be relieved of his requirement to report to court while he is doing his studies in Rome. Currently there are no psychological indications that he would repeat the sexual mistakes of the past.

REDACTED

REDACTED Licensed Clinical Psychologist.

April 28,1989

CONFIDENTIAL

MEMORANDUM

TO: Monsignor Dyer

FROM: Father Fessard

SUBJECT: Materials for St. Luke's Institute from the Archdiocese

DATE: November 10, 1994

Thank you, Tim, for detailing for me the materials you intend to send to St. Luke's in preparation for my evaluation there next week. It is my understanding that they are the following:

1. Introductory Letter of Monsignor Thomas Curry to the Servants of the Paraclete, Jemez Springs, NM, requesting my treatment there in June, 1987;

2. Character Reference Letter of Msgr. Thomas Curry to Los Angeles County Probation Department in or about June, 1987;

3. Initial, Interim and Final Reports of the Servants of the Paraclete, Jemez Springs, NM, concerning my treatment there July-December, 1987;

4. Final Report of my Therapist, REDACTED June 1989, concluding treatment of January, 1988 - June, 1989;

5. Copy of Agreement which you drew up at the time of my assignment to residence at St. Luke Parish, Temple City, in September, 1991;

6. Your summary of your interviews with certain individual members of St. Luke Parish Youth Group (and parents?) concerning their allegations.

I have seen and read all but the last two items in this list. The last two items you shared with me orally, at least in summary form. As requested in my letter of November 3, 1994, I would appreciate receiving copies of these materials, together with any introductory or other correspondence you may have (had) with St. Luke's concerning me.

I would particularly like to have a copy of the "Agreement" referred to in Item #5 before leaving for St. Luke's on Sunday morning. Since I did not sign it at the time you drew it up, I don't believe I ever actually saw it. ✓ given him 11/10/94

Thank you again, Tim, for your kindness, patience and attention to these requests. I appreciate your support, and I am looking forward to concluding this difficult chapter of my life, and moving on to continued growth.

4830

11/10/94

COPIES OF ALL THIS
FED X'D TO REDACTED
REDACTED AT ST. LUKE'S
ATTN: REDACTED
ON ABOVE DATE
REPORT OF LATEST INCIDENT
WITH NAMES SEPARATELY
IN THIS C. FILE

CONFIDENTIAL

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 251-3284
1531 West Ninth Street
Los Angeles California 90015-1194

CONFIDENTIAL

November 10. 1994

REDACTED
St. Luke Institute
2420 Brooks Drive
Suitland MD 20746-5294

ATTN: REDACTED

Dear REDACTED

The packet of materials enclosed is to serve as an introduction to REV. GERALD B. FESSARD, who begins his evaluation with you on NOVEMBER 13. I apologize for its late arrival.

In April 1987, a police investigation began concerning incidents involving Father Gary Fessard and students at the high school seminary, where he was on the faculty. Enclosed is an April 20, 1987 letter from then Vicar for Clergy Monsignor Curry to the Servants of the Paraclete, summarizing the situation at that point.

In June 1987, Father Fessard pleaded guilty to one charge of battery and one charge of sexual molestation. He was given a probation of three months, and treatment was part of the Court's recommendation. The character reference letter of June 24, 1987 from REDACTED Curry to the Court is also enclosed.

Father Fessard entered Jemez Springs to begin treatment with the Servants of the Paraclete in July 1987. With his permission, their reports, from the initial evaluation dated August 6, 1987 through their final report of December 23, 1987 are enclosed.

In January 1988, Father Fessard began counseling with Dr. REDACTED REDACTED and this arrangement continued through July 1989, when Father Fessard left the Archdiocese for studies in canon law (as he had been assigned to the Matrimonial Tribunal upon his return from Jemez Springs. With his permission, a copy of Dr. REDACTED final confidential report of April 28, 1989--with cover memo from Father Fessard--is enclosed.

In September 1991, after completion of his studies, Father Fessard returned to the Matrimonial Tribunal and was assigned to residence at St. Luke Parish, Temple City. Enclosed is the Agreement of September 5, 1991.

4828

This agreement was read to Father Fessard and his Pastor at St. Luke Parish, Father Thomas King, and accepted by Father Fessard. However, on that occasion, Father Fessard declined to sign this agreement, with a verbal acknowledgment to me that he understood it and would abide by it. My notes from that occasion show that, prior to our meeting with his Pastor, Father Fessard wanted me to understand that these incidents were a thing of the past and it was most uncomfortable to have them revisited. He told me that he wanted me to know (as the incidents had taken place during the tenure of the previous Vicar for Clergy) that the molestation had involved only fondling while children were asleep. He inferred that he was therefore not a danger to youngsters in the normal course of daily events.

REDACTED

In August of this year, a report reached me through the priests and the Youth Minister at St. Luke's Parish indicating inappropriate behavior on the part of Father Fessard. This report included accounts of his regular drinking in the evenings--often to the point of intoxication--followed by regular visits to the Youth Group. The particular incident that occasioned Father Fessard's being reported to this office involved a late night visit to the Youth Group during which he made several teen-age girls very uncomfortable. When presented with the accounts, Father Fessard admitted to patting a young girl on her buttocks, but did not remember the account of another, who said he had massaged here neck and shoulders. Adults at the meeting, including the Youth Minister, declared that Father Fessard was obviously intoxicated. Enclosed is testimony from Youth Group members, the Youth Group minister, and some of the adults present at the meeting (with names omitted at their request).

Shortly after the above incident, Father Fessard entered the EXODUS Unit of Marina Mercy Hospital to begin a 30-day detoxification program for alcohol. A report from EXODUS as to his behavior is to be forwarded to St. Luke's by REDACTED

The final enclosure here is copy of a letter to me from Father Fessard setting forth various requests involving the present evaluation. I have explained to him that it is not part of St. Luke's policy to hand over their final evaluations to a patient, but you may wish to discuss this with him. I will deal with him in the matter of his other request of the Archdiocese. If I can be of any further help, please let me know.

Sincerely yours,

Timothy J. Dyer

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

DATE INITIATED: _____

NAME: Rev. GARY Fessard ( )

PERSON MAKING ALLEGATION: 2 sophomores at OLQA (1987) ( ) Work

YOUTH MINISTER on (1994) behalf of youth - ST. LUKE'S PARISH ( ) Home

REPORT/ALLEGATION: _____

ARCHDIOCESAN ATTORNEY/INSURANCE NOTIFIED: [date] _____

THERAPISTS/DOCTORS: Dr. REDACTED ( )
[priest] Dr. REDACTED

THERAPISTS/DOCTORS: _____ ( )
[for others] _____ ( )

ADDITIONAL CONTACT _____ ( )
PERSONS: _____ ( )

ADVOCATES/ATTORNEY: _____ ( )
_____ ( )

CASE CHRONOLOGY:

DATE	
6-19-87	GARY pleads guilty to one charge of battery and one charge of sexual molestation. GARY denied touching the 2 sophomores in their OLQA dormitory but admitted very inappropriate behavior - sleeping in same bed w. 3 other students at a mtn. cabin
6-87	Probation w. treatment required
7-87	Begins treatment at Jemez Springs
11-87	T. Curry visits G.F. + receives staff report. at REDACTED
12-87	Assignment to Tribunal

1/88 - 7/89	Counselling w. Dr. REDACTED
9/91	Agreement betw. Archdiocese and G.F.
8-30-94	Report of inappropriate behavior by G. Fessard with girls of minor age — St. Luke's Youth Group / Drinking involved.
9-94	Exodus Unit — treatment prog for 30 days
9-26-94	T. Dyer + REDACTED, visit G.F. re next steps...
10-94	Mtg in V.Cl. Office w. G.F. + REDACTED REDACTED re strict + total restrictions around ministry to + contact with minors
11/13 to 18	Evaluation at S.L.I.

RECOMMENDATIONS:

AFTERCARE CHRONOLOGY:

DATE

NOTES

therapy"

- Problem is that in parish residence — he will find a crack + then he'll get more active.

- Shouldn't greet p. after MASS or be w. altar boys at MASS regularly — so that he begins a rapport w. youngsters ~~(minors)~~ (minors)

- He does admit to currently having sexual fantasies involving ~~a~~ minors ~~a currently~~ — but this arousal around 13-14 yr. olds is very infrequent

- Does not give permission for SCI report to be sent. ~~sent~~ to AD.

our summary:

Ephebofile who is ~~a~~ in some denial that he is one. Resists identifying himself as such — which puts him at a mildly greater risk.

To be in a parish — someone has to follow him around to make sure he does not form a rapport w minors. Right now — we cannot provide that kind of supervision . . .

⇒ SAAB

4855

NOTES

Gary Fessard / REDACTED 11/23

- issue w. G.F. = to what degree he continues to have a problem: 1) w. sexual touch + 2) w. alcohol
- I don't think he needs residential treatm.
- He needs to understand he has a problem If he'd made a strong commitment - he would have signed the 9/91 agreement. It was inevitable for them on
- He has this legalistic mind when he draws lines, rationalizes + then gets in trouble...
- NO contact w. minors. None. Hard to be in a parish + not be around minors.
- Initiate one S.A. mtg/mo.
- outpatient psycho therapy (someone who has a specialty in being a "sex offender" + ongoing necessary for Alch) - use the word "sex offender" — see that's what he needs to hear + that's what he wants to avoid. He needs relapse prevision

Reorder From Day-Timers, Inc., Allentown, PA • Style LS37 • Prod #61004 ©1986, 1989 Blanchard Training & Development, Inc. Printed in USA

4856



Saint Luke Institute

December 5, 1994

Confidential

Reverend Monsignor Timothy J. Dyer
Vicar for Clergy
1531 W. Ninth Street
Los Angeles, CA 90015-1194

Re: Reverend Gerald Fessard
SLI No: 13030

Dear Monsignor Dyer:

Thank you for your referral of Father Gerald Fessard who is, as you know, a 48 year old Roman Catholic priest from the Archdiocese of Los Angeles, California.

REASON FOR REFERRAL: Father Fessard was referred after recent complaints that he had, while intoxicated, patted an older adolescent female on the rear end and had massaged the neck of another adolescent. Testimony from other parishioners suggests that Father Fessard had discussed celibacy with adolescents in a way that made them feel uncomfortable. He was reportedly observed under the influence on several occasions. One woman observed Father Fessard patting her eight year old daughter's rear end and mentioned to her husband how uncomfortable this made her. These reports were taken very seriously since Father Fessard had been in treatment at the Paracletes institution approximately seven or eight years ago for sexual fondling of young adolescents while he thought they were asleep. After Father Fessard returned to ministry, he was told that he could do no ministry with minors. Father Fessard states that he did not understand that this prohibited him from stopping in on youth group meetings.

Father Fessard was confronted with his problematic drinking and went to a 28-day program that ended in late September of 1994. He has reportedly been attending Alcoholics Anonymous meetings approximately five times a week since being discharged from this program. Father Fessard was referred to Saint Luke Institute for evaluation to gain a more complete assessment of the depth of his current problems with sexual behavior and alcohol.

2420 Brooks Drive • Suitland, Maryland 20746-5294 • (301) 967-3700 • FAX: (301) 967-3953
Affiliated with the Daughters of Charity, National Health System

Father Fessard came to Saint Luke Institute on November 13, 1994 and completed the evaluation process on November 18, 1994. It was the impression of the evaluation team that Father Fessard was cooperative with the evaluation process. We, therefore, believe that the data and impressions we gathered have enabled us to make an accurate assessment of Father Fessard's current psychological and physical functioning.

When we evaluate an individual who has been having emotional and/or behavioral problems we include an assessment of a wide variety of motivations, developmental experiences, and physical factors. Our assessment protocol includes the following elements:

1. Psychosocial interview,
2. Psychological interview,
3. Physical and neurological examination,
4. Electrocardiogram,
5. Chest x-ray,
6. Personality and projective tests,
7. Neuropsychological testing including intelligence tests, memory tests, the Halstead-Reitan Neuropsychological tests,
8. Spiritual assessment.

PSYCHOSOCIAL HISTORY: We take a detailed background history from our clients in order to understand the effect of their background on current attitudes and behavior. Although Father Fessard gave us many details about his background history, we will include only the clinically relevant information in this report.

Father Fessard was born on July 14, 1946 in Little Rock, Arkansas. He is the oldest of two children in the family; he has a sister who is 10 years younger than he. Father Fessard accounts for the large age difference between siblings by noting that his mother reportedly had trouble getting pregnant.

Father Fessard describes his father as a man with a good sense of humor and a hard worker. He worked long hours and, consequently, was away from his family a lot. He describes his mother as an attractive woman who was quite happy with Father Fessard was young, but became somewhat bitter and angry later in life. Father Fessard notes that there was increasing tension between his mother and father. One of their problems reportedly had to do with financial difficulties; they reportedly became very stressed after their move to California in 1960 when Father Fessard was age 14. Father Fessard notes that one of his father's responses to the marital and financial difficulties was to increase his drinking.

Father Fessard's earliest memory is from age five when he was celebrating a birthday. His saddest memory occurred at age nine when both of his maternal grandparents died. His grandmother reportedly died on the day of his grandfather's funeral. Father Fessard reports that his grandparents' death was the first of several events that created some upheaval in his life. His sister was born when he was 10 years old and his mother was reportedly sick after her birth. When Father Fessard was approximately age 11, his family moved to Texarkana. Shortly after this, his father suffered some financial setbacks and his family moved to California. As mentioned above, the financial setback seemed to have a negative impact on his parents' marital relationship.

Father Fessard reports no major difficulty in his transition to beginning school. He says that his peers in elementary school saw him as a timid, nonathletic boy who was a good student. Father Fessard notes that he excelled in music and academics.

Father Fessard reportedly attended a local Catholic high school for two years and then attended a boarding seminary. He attended college seminary in 1964 and began theology in 1968. Father Fessard was ordained in 1972.

Because Father Fessard's referral was, in part, prompted by sexual concerns, we took a detailed sexual history from him. Father Fessard states that his earliest sexual memory comes from age four or five when he recalls seeing his mother naked. He reports some mild sex play with peer females at around age seven or eight. Father Fessard also reports some mild homosexual play at age 11.

Father Fessard states that he began puberty at about age 13. He remembers getting information about sexuality from a male peer when he was in the seventh or eighth grade. Father Fessard notes that he suffered from poor self-esteem in adolescence because of his lack of physical prowess. He recalls being skinny and somewhat small as an adolescent. Father Fessard states that he became sexually active through masturbation in high school. He recalls having high levels of guilt about normal sexual feelings and masturbation. He believes that he lacked a healthy adolescent sexual development due to repressive sexual attitudes fostered by his family and his early seminary formation. Father Fessard believes that his rigid moralistic standards and repression of sexual feelings are connected to his later sexual acting out with adolescents.

Father Fessard states that his sexual acting out with minors began when he was approximately age 19 or 20 and working at a camp. Father Fessard states that he began touching adolescent males who were between the ages of 12 and 14 when he thought they were asleep. He also admits that he has sexually touched two 13

year old females who were also asleep. Father Fessard states that he would sometimes do this after ordination when he would take minors on overnights and on camping trips. He reports that he would touch the testicles, penis and sometimes the buttocks of these young people. Father Fessard states that he would occasionally masturbate himself while touching these minors. He notes that he would often become aroused without touching himself and would masturbate to ejaculation later.

Father Fessard states that he is more attracted to "feminine" boys who are slender and have smooth bodies. He states that the touching occurred over five summers when he was young. He reportedly touched minors on 10 to 12 occasions. He says that after ordination, between 1972 and 1987, there were occasional overnights when he would touch minors. Towards the end of this period, he would go through a dormitory at night when he was at the high school seminary. He says that he touched one boy who he thought was asleep and another boy reportedly observed him doing this. He also reportedly touched this second boy when he thought he was asleep. Father Fessard says that one week after this incident, he took three students to the mountains and touched one of these students. This child was reportedly uncomfortable and later talked to the male minor who observed Father Fessard touching another person. Once these male minors talked to each other, their conversation reportedly generated a report to the Chancery.

Father Fessard reports that he went into treatment at the Paracletes institution in 1987. This followed a police investigation of his behavior with the students. Father Fessard pleaded guilty to one charge of battery and one charge of sexual molestation. He was given probation of three months and treatment was part of the court's recommendation. Father Fessard spent approximately six months at Jemez Springs in treatment.

REDACTED

Father Fessard reports that he returned to Los Angeles in December of 1987. He says that the recommendation was that he have no contact with minors; he soon began work in the Tribunal. Father Fessard reports that he went to Rome to study canon law and in 1991 returned to Los Angeles where he was assigned to Tribunal work.

Father Fessard reports that he was told that he could do no ministry to minors but refused to sign a document that was concerned with this issue. He reports that he preferred to give his personal assurance to officials in the archdiocese that he would not be involved in any ministry to minors.

Father Fessard reports that he did not understand that the prohibition against ministry to minors would apply to occasional visits to the youth group meeting. He says that he would occasionally stop in at these meetings and stay only a short time. However, he reportedly came to one of the meetings intoxicated and stayed for a considerable length of time. It was at this meeting that he reportedly talked about celibacy in a way that left some of the young people concerned that he was hinting that he had been sexually active. He also reportedly walked by one girl who was 17 years old and "swatted her on the rear." He says that he meant nothing sexual by this. Father Fessard also admits that he touched a girl on the shoulder. He says that he might have squeezed her shoulders once or twice as he walked by her.

Father Fessard says that he was unaware of concerns people had about his interaction with other children. When we discussed the fact that a mother was troubled by the way he acted with her eight-year old child, Father Fessard reports that he was surprised by this.

After Father Fessard's behavior at the youth group became known, he was referred to an alcoholism treatment center where he participated in and completed a 28-day program. Father Fessard states that he has attended AA approximately five times a week since leaving this program. He also reports that he has a sponsor in AA.

REDACTED

REDACTED

REDACTED

LEGAL STATUS: As mentioned above, Father Fessard was arrested in 1987. He was put on probation and psychotherapy was recommended. There were no civil charges brought against Father Fessard.

REDACTED

REDACTED

REDACTED

Father Fessard's continued difficulty with his behavior suggests that he needs ongoing help with his psychosexual issues and his alcoholism. We therefore recommend the following: 1) The most important recommendation is that Father Fessard have no contact with male or female minors. In light of Father Fessard's recent difficulties it seems psychologically appropriate to make this recommendation very strongly. Father Fessard's history is one where he has committed serious sexual offenses against minors over a long period of time. We therefore recommend that any assignment or living situation take into account that contact with minors will increase Father Fessard's risk for inappropriate behavior. 2) We recommend that Father Fessard continue his attendance at AA. 3) We recommend that Father Fessard continue in outpatient psychotherapy focusing on ways that he can prevent future relapses into sexually inappropriate behavior or alcoholism. We recommend that he work with someone who is experienced in working with sex offenders and addictive disorders. 4) We recommend that Father Fessard and his therapist explore the possibility of his attending a support group for people who have ongoing sexual problems.

REDACTED

We hope this report is of help to you and to Father Fessard. If you have any questions or if we can be of other assistance please do not hesitate to contact us.

Sincerely,
REDACTED

Clinical Psychologist
Director, Outpatient Department

REDACTED

cc: Reverend Gerald Fessard

Priest: Gerald B. Fleuard

Therapist: REDACTED

Pastor(s): Rev. Earl Washer
Cathedral Chapel
922 S. Detroit St. LA 90036

Rev. Msgr. Edward Johnson
St. Gregory Nazianzen Church
900 S. Bronson Ave LA 90019

NO Spiritual Director

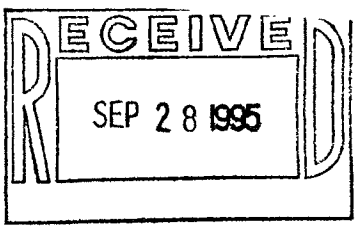
5023

INITIAL TREATMENT PLAN ATTACHED
NO RELEASE FORM

TO: Monsignor Timothy Dyer, Vicar for Clergy 9/25/95
FROM: REDACTED Ph.D.

RE: Rev. Gerald B. Fessard

Thank you for enclosing a copy of the Clergy Performance Plan drawn up for Fr. Fessard. I have completed the Initial Treatment Plan which is enclosed. REDACTED
REDACTED



THERAPIST
INITIAL TREATMENT PLAN
(Please Type or Print)

Patient Name: REV. GERALD B. FESSARD **DOB:** 7/14/46
Date of First Visit: _____

REDACTED

REDACTED

PACIFIC ATLANTIC ADMINISTRATORS
(415) 495-4340
(800) 877-7474

RETA
EXPLANATION OF BENEFITS

DATE 09/26/95
CHECK NO. 255311
PAGE NO. 1

EMPLOYER
ARCHDIOCESE OF LOS ANGELES

EMPLOYEE
GERALD FESSARD
REDACTED

EMPLOYEE: GERALD FESSARD
EMP. ID. NO.: REDACTED
PATIENT: E GERALD
GROUP NO: 40
LOC. CODE: 007 007-JUDICIAL VICAR
CLAIM NO: 95204188-01
ADMINISTRATOR: EXT #8624/ SL
PATIENT NO: KEPP PHD

PROVIDER	DATE OF SERVICE FROM	TO	CHARGES	NOT COVERED AMOUNT	REM	DEDUCTIBLE BEN/COINS	CO-INSURANCE AMOUNT	CO-INS. %	TOTAL PAYABLE
ARCHDIOCESE OF	04/17	05/08/95	250.00				[redacted]	50	* [redacted]
ARCHDIOCESE OF	06/05	06/20/95	250.00				[redacted]	50	* [redacted]

DESCRIPTION OF REMARKS/BENEFITS

TOTAL BENEFIT [redacted]

RECEIVED
OCT - 2 1995
Ans'd.....

THE FACE OF THIS DOCUMENT HAS A MULTICOLORED BACKGROUND ON WHITE PAPER WITH AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

THE ROMAN CATHOLIC ARCHBISHOP OF LOS ANGELES
(A CORPORATION SOLE)
C/O PACIFIC ATLANTIC ADMINISTRATORS
P. O. BOX 7407
SAN FRANCISCO, CA 94120
GROUP #40

FIRST INTERSTATE BANK OF CALIF
LOS ANGELES MAIN
707 WILSHIRE BLVD
LOS ANGELES, CA 90017

255311
16-21/ 149
1220

DATE 09/26/95
AMOUNT ******[redacted]

CHECK NO 255311
CLAIM NO. 95204188-01

PAY T[redacted] Dollars and 00 cents

VOID AFTER 120 DAYS

TO THE ORDER OF
ARCHDIOCESE OF L.A.
1531 WEST NINTH ST.
CONFIDENTIAL:L. TOMACAN
LOS ANGELES CA 900151194

REDACTED

AUTHORIZED SIGNATURE

100 4/93

REDACTED

4800

MEMORANDUM

TO: REDACTED

FROM:

DATE: October 5, 1995

RE: **PARTIAL MEDICAL REIMBURSEMENT**

Please deposit the attached check for $250.00 in Account #133-574507. This represents partial reimbursement from Reta Insurance on medical expenses paid by the Archdiocese for Rev. Gerald Fessard.

enclosure

REDACTED

cc: REDACTED

4799



COPY

October 16, 1995

Rev. Earl Walker
Cathedral Chapel
922 South Detroit St.
Los Angeles, CA 900366

Dear Father Walker:

As I am sure your are aware, your help in monitoring Father Gerald Fessard's progress and compliance with his Clergy Performance Improvement Plan is utterly necessary, if our team approach to supporting him in the resolution of his problems is to succeed.

Thus I am attaching the first of a series (one every four months while the Plan is in place) of Pastor Progress Report forms in his regard, and I ask that you complete it and mail it back to me within two weeks. You should feel free to discuss the contents of your report with Father Fessard. Indeed, I suggest that you do so. Don't hesitate to call me if you have any questions or concerns about it.

Believe me, I do not add this lightly to the many burdens you are already carrying. I am deeply grateful for your help, and thank you for your cooperation and understanding.

In Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

Enclosure

5012

COPY

October 16, 1995

Rev. Msgr. Edward Johnson
St. Gregory Nazianzen Church
900 South Bronson Ave.
Los Angeles, CA 90019

Dear Monsignor Johnson:

As I am sure your are aware, your help in monitoring Father Gerald Fessard's progress and compliance with his Clergy Performance Improvement Plan is utterly necessary, if our team approach to supporting him in the resolution of his problems is to succeed.

Thus I am attaching the first of a series (one every four months while the Plan is in place) of Pastor Progress Report forms in his regard, and I ask that you complete it and mail it back to me within two weeks. You should feel free to discuss the contents of your report with Father Fessard. Indeed, I suggest that you do so. Don't hesitate to call me if you have any questions or concerns about it.

Believe me, I do not add this lightly to the many burdens you are already carrying. I am deeply grateful for your help, and thank you for your cooperation and understanding.

In Christ,

(Rev. Msgr.) Timothy J. Dyer
Vicar for Clergy

REDACTED

Enclosure

5011

RE: Gerald Fessard

We met on July 25, 1996

① Called his therapist with release and she will write a closing note with progress & recommendations

② Asked Gerald to find Pastor/supervisor; he is thinking @ Kirk

③ Need to get reports from work, Spr. div., et al

5000

awareness

knowledge

motivation

resources

→ return - need

→ recovery +

19-22 yrs

27-41 yrs.

all asleep

12-16 yrs

as opportunities presented

REDACTED

Nonarrier - Immaculate Conception

① Same living situation

② weekend supply call under pastoral supervision

③ No rush

no changes

Annunciation / Arcadia

group therapy - R.C. Catholic

REDACTED

group

Jeremy Springs

RE: Gerald Fessard

We met on July 25, 1996

① Called his therapist with release and she will write a closing note with progress & recommendations

② Asked Gerald to find Pastor/supervisor; he is thinking @ REDACTED

③ Need to get reports from work, Spv. div., et al

APOSTOLIC NUNCIATURE
UNITED STATES OF AMERICA

3339 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008-3610

No. 4078

This No. Should Be Prefixed to the Answer

May 27, 2008

REDACTED

Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

Dear REDACTED

I acknowledge your kind letter of May 21, 2008, with enclosure.

Rest assured that the sealed envelope addressed to His Eminence William J. Cardinal Levada, containing information concerning **Mr. Gerald B. Fessard,** has been transmitted to the Congregation for the Doctrine of the faith, through the diplomatic pouch.

With cordial regards and prayerful best wishes, I am,

Sincerely yours in Christ,

Archbishop Pietro Sambi
Apostolic Nuncio

407760

REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard
Los Angeles California 90010-2202

21 May 2008

The Most Reverend Pietro Sambi
Apostolic Nuncio to the United States of America
3339 Massachusetts Avenue, N.W.
Washington, D.C. 20008

RE: Gerald B. Fessard
Notification of Laicization

Your Excellency,

Enclosed is a letter addressed to Cardinal William Joseph Levada, Prefect of the Congregation for the Doctrine of the Faith. The letter advises the Congregation that Mr. Gerald B. Fessard has been notified that his petition for laicization has been granted by His Holiness Pope Benedict XVI. With the letter a signed and notarized copy of the rescript of laicization is also being returned to the Congregation.

I respectfully ask you to forward this correspondence to the Congregation.

With gratitude for your kind assistance in this matter, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,
REDACTED

(enclosure)

407761

REDACTED

Archdiocese of Los Angeles

3424 Wilshire Boulevard

Los Angeles California 90010-2202

Re: Prot. No. 223/02
Gerald B. Fessard
Notification of Laicization

21 May 2008

Cardinal William Joseph Levada
Prefect
Congregation for the Doctrine of the Faith
00120 Vatican City

Your Eminence:

I write in reply to the above-referenced case and to your letter of 19 November last, informing Cardinal Roger Mahony that His Holiness Pope Benedict XVI had granted the petition for laicization addressed to him by Gerald B. Fessard.

Mr. Fessard was duly notified of the Holy Father's decision and signed the rescript. I am now pleased to return an original copy of the signed and notarized rescript to you.

Thanking Your Eminence for your kind assistance in this difficult matter, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ,
REDACTED

(enclosures)

407762

CONGREGATIO PRO DOCTRINA FIDEI

Prot. N. 223/02

Angelorum in California
(Los Angeles, U.S.A.)

D.nus **Gerald B. FESSARD**, presbyter huius archidioecesis, humiliter petit dispensationem ab omnibus oneribus sacrae Ordinationi conexis

---

Summus Pontifex Benedictus, Papa XVI

Die 12 m. Novembris a. 2007

habita relatione de casu a Congregatione pro Doctrina Fidei,
precibus praedicti sacerdotis annuit iuxta sequentes rationes:

1. Dispensationis Rescriptum a competenti Ordinario oratori quamprimum notificandum est:

a) Eius effectum sortitur a momento notificationis;
b) Rescriptum amplectitur inseparabiliter dispensationem a sacro coelibatu et simul amissionem status clericalis. Nunquam oratori fas est duo illa elementa seiungere, seu prius accipere et alterum recusare;
c) Si vero orator est religiosus, Rescriptum concedit etiam dispensationem a votis;
d) Idemque insuper secumfert, quatenus opus sit, absolutionem a censuris.

2. Notificatio dispensationis fieri potest vel personaliter ab ipso Ordinario eiusve delegato aut per ecclesiasticum actuarium vel per "epistulas praescriptas" (*registered*). Ordinarius unum exemplar restituere debet rite ab oratore subsignatum ad fidem receptionis Rescripti dispensationis ac simul acceptationis eiusdem praeceptorum.

3. Notitia concessae dispensationis adnotetur in Libris baptizatorum paroeciae oratoris.

4. Quod attinet, si casus ferat, ad celebrationem canonici matrimonii, applicandae sunt normae quae in Codice Iuris Canonici statuuntur. Ordinarius vero curet ut res caute peragantur sine exteriore apparatu.

5. Auctoritas ecclesiastica, cui spectat Rescriptum oratori rite notificare, hunc enixe hortetur, ut vitam Populi Dei, ratione congruendi cum nova eius vivendi condicione, participet, aedificationem praestet et ita probum Ecclesiae filium se exhibeat. Simul autem eidem notum faciat ea quae sequuntur:

407763

a) Sacerdos dispensatus eo ipso amittit iura statui clericali propria, dignitates et officia ecclesiastica; ceteris obligationibus cum statu clericali conexis non amplius adstringitur;

b) exclusus manet ab exercitio sacri ministerii, iis exceptis de quibus in can. 976 et 986 § 2 CJC ac propterea nequit homiliam habere, nec potest officium gerere directivum in ambitu pastorali neve munere administratoris paroecialis fungi;

c) item nullum munus absolvere potest in Seminariis et in Institutis aequiparatis. In aliis Institutis studiorum gradus superioris, quae quocumque modo dependent ab Auctoritate ecclesiastica, munere directivo fungi nequit;

d) in aliis vero Institutis studiorum gradus superioris ab Auctoritate ecclesiastica non dependentibus nullam theologicam disciplinam tradere potest;

e) *in Institutis autem studiorum gradus inferioris dependentibus ab Auctoritate ecclesiastica, munere directivo vel officio docendi fungi nequit. Eadem lege tenetur presbyter dimissus ac dispensatus in tradendo Religione in Institutis eiusdem generis non dependentibus ab Auctoritate ecclesiastica.*

6. Ordinarius curet, quantum fieri potest, ne nova condicio presbyteri dispensati fidelibus scandalum praebeat. Attamen, si adest periculum minoribus abutendi, Ordinarius potest factum dispensationis necnon causam canonicam divulgare.

7. Tempore autem opportuno, Ordinarius competens breviter ad Congregationem de peracta notificatione referat, et si qua tandem fidelium admiratio adsit, prudenti explicatione provideat.

Contrariis quibuscumque minime obstantibus.

Ex Aedibus Congregationis, die 12 m. Novembris a. 2007

William Card. Levada

Gulielmus Cardinalis LEVADA
Praefectus

✠ Angelus AMATO, S.D.B.
Archiep. titularis Silensis
a Secretris

407764

Dies notificationis XIX Decembris MMVII

REDACTED

Subsignatio Presbyteri in signum acceptionis

Archdiocese of Los Angeles

Office of the
Vicar for Canonical Services
Phone: (213) 637-7201
Fax: (213) 637-6201
E-mail: vcs@la-archdiocese.org

3424
Wilshire
Boulevard

Los Angeles
California
90010-2202

CONFIDENTIAL

RE: Laicization of Gerald Buckley Fessard,
Annotation of Baptismal Record

21 May 2008

The Reverend Pastor or Parish Administrator
Saint Francis of Assisi Church
P. O. Box 786
Forrest City, AR 72336

Reverend and Dear Father/Parish Administrator,

Gerald Buckley Fessard, born on 14 July 1946 and baptized at Saint Francis Church on 4 August 1946, was ordained to the Sacred Priesthood on 27 May 1972 for the Archdiocese of Los Angeles. On 12 November 2007 our Holy Father Pope Benedict XVI, acceding to a request for laicization made to him by Father Fessard, dispensed Father Fessard from all obligations connected to Holy Orders and returned him to the lay state. The rescript of laicization was communicated to and accepted by Father Fessard on 19 December 2007, on which date it took effect.

I would now ask you kindly to add the annotation of Father Fessard's laicization, which took effect on 19 December 2007, to his baptismal record and to please notify me when said annotation has been duly made.

Thanking you for your assistance in this matter, and with prayerful good wishes, I am

Sincerely yours in Christ,
REDACTED

annotation made to his
baptismal record on
May 27, 2008
REDACTED

REDACTED

COPY

Phone:REDACTED

E-Mail:REDACTED

March 5, 2007

Rev. Msgr. Gabriel Gonzales
Vicar for Clergy
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

CONFIDENTIAL

Dear Gabe,

On February 2, 2007 I wrote to you concerning a serious error in archdiocesan records concerning the disposition of my civil case in 1987. Since over a month has elapsed without a response from you, I feel the need to call your attention to this once again.

So that this important matter may be resolved soon without any additional harm to me, I would appreciate hearing from you, addressing the questions and concerns raised in my February 2 letter, within the next two weeks.

Thank you very much for your consideration.

Fraternally in Christ,

(Rev.) Gerald B. Fessard

cc: Cardinal Roger Mahony
REDACTED

407766

COPY

Archdiocese of Los Angeles | Office of the Archbishop | 3424 Wilshire Boulevard | Los Angeles California 90010-2202

Re: Prot. No. 223/02
The Reverend Gerald B. Fessard
Graviora Delicta and Petition for
Dispensation from Clerical Obligations

19 December 2006

Cardinal William Joseph Levada
Prefect of the Congregation for the Doctrine of the Faith
00120 Vatican City

Your Eminence:

I write in reference to the above-named priest of the Archdiocese whose case is already known to your Dicastery since Fessard had made recourse previously to the Congregation concerning the level of sustenance accorded him by the Archdiocese of Los Angeles.

Upon being informed of my intention to bring his case to a definitive resolution, and that in the absence of a voluntary petition from him requesting laicization from our Holy Father I would seek his *ex officio* dismissal from the clerical state, Father Fessard, with the advice of his canonical advocate, chose freely to petition Pope Benedict XVI for a dispensation from the obligations of the Sacred Order of Presbyter and those related to the clerical state.

That petition is enclosed with this letter, and enclosed also is my *votum*, addressed to His Holiness, regarding the matter together with a complete report of Father Fessard's situation. As you will see, the *votum* expressed is definitively in favor of granting the aforesaid petition.

I now seek the assistance of your good offices in forwarding the aforementioned documents to their high destination.

Grateful for your kind help, and with the assurance of my prayers, I remain

Sincerely yours in Christ,

Roger Cardinal Mahony

Cardinal Roger M. Mahony
Archbishop of Los Angeles

407768

(enclosures)

COPY

Archdiocese of Los Angeles
Office of the Archbishop (213) 637-7288
3424 Wilshire Boulevard
Los Angeles California 90010-2202

VOTUM OF THE ORDINARY OF INCARDINATION
CARDINAL ROGER MICHAEL MAHONY
ARCHBISHOP OF LOS ANGELES IN CALIFORNIA

Re: The Reverend Gerald B. Fessard
Graviora Delicta and Petition for
Dispensation from Clerical Obligations

19 December 2006

His Holiness Pope Benedict XVI
Apostolic Palace
00120 Vatican City

Your Holiness:

It is with sadness and a sense of urgency that I write with regard to the petition for dispensation from the obligations of Holy Orders and clerical celibacy voluntarily made by the Reverend Gerald B. Fessard, a priest of the Archdiocese of Los Angeles in California. I herewith transmit his petition to Your Holiness together with a complete report of Father Fessard's situation.

Father Fessard was born on 14 July 1946 and ordained to the priesthood for the Archdiocese of Los Angeles in 1972. From ordination until he was placed on administrative leave in 2002, he held numerous assignments in the Archdiocese: Parochial Vicar in two parishes, faculty member at two high schools, Superintendent for Elementary Schools, Dean of Studies at the archdiocesan minor seminary, and staff member of the Archdiocesan Tribunal. Both prior to and continuing after priestly ordination, Fessard has had a history of sexual misconduct: more than twenty individuals are alleged to have been abused by Fessard, including both male and female victims, and five high school seminarians. Since 1987, the Archdiocese has had to face the serious scandal caused by Fessard. Eight individuals have formally denounced him for sexually abusing them while they were minors. In addition to these specific denunciations, there are credible allegations that Fessard also acted in an inappropriate manner with young girls during one of his assignments. All of these incidents point to a pattern of child molestation on the part of Fessard, and it is for this reason that I support his petition for laicization.

407769

The Archdiocese first received five individual denunciations against Father Fessard in 1987. The victims were all males: two were 15 years of age, two were 16 years of age and one was 17 years of age at the time the alleged abuse occurred. Three of the victims accused Fessard of taking them on an outing to a mountain cabin, getting in bed with them, embracing them and rubbing their backs while in bed. The other two accused him of touching their genitals while they were asleep, thus awakening them. It is important to note that all these victims were minor seminarians at Our Lady Queen of Angels Seminary in Mission Hills while Fessard was the Dean of Studies at the seminary. As a consequence of these allegations, Fessard was removed from his responsibilities at the Seminary and was sent for treatment to Jemez Springs, New Mexico, under the care of the Servants of the Paraclete. Additionally, he was charge by civil authorities with four criminal counts: two counts of battery and two counts of child molestation. These charges were later reduced by plea bargaining to one count of battery and one count of child molestation, to which Fessard pled no contest (*nolo contendere*). He was sentenced to three years probation with the requirements that he receive psychological treatment, that he not engage in employment where he might have direct access to minors and that he not be in the presence of minors without the presence of another responsible adult.

Following his treatment at Jemez Springs, Father Fessard was assigned to the Archdiocesan Tribunal in December of 1987 and was eventually sent for graduate studies in canon law at the Pontifical University of St. Thomas Aquinas in Rome. After completing his studies and returning to the Archdiocese with a licentiate in canon law, he was again assigned to the Archdiocesan Tribunal. The decision to release him for further studies and eventually assign him to the Archdiocesan Tribunal was based on the fact that in April of 1989, in a report from a licensed clinical psychologist, the professional opinion was expressed that Fessard did not require any further psychotherapy and that there were no psychological indications that he would repeat the sexual mistakes of the past.

In 1994, the Archdiocese received a report from Saint Luke Parish, Temple City, concerning Father Fessard's behavior. It was alleged that he had acted in an inappropriate fashion, while under the influence of alcohol, with young female parishioners. The teenaged girls contended that Fessard patted one of them on the buttocks, rubbed another on her shoulders and back, and made the girls uncomfortable. The girls were interviewed by REDACTED , together with their parents, and their allegations were deemed credible. As a result of these new allegations, Fessard was asked to undergo a more thorough evaluation at Saint Luke Institute in Maryland.

During this evaluation, Father Fessard reported that prior to his ordination he had sexually molested ten to twelve minors, and that after ordination there were occasions when he had touched minors. The report from the Saint Luke Institute indicated that Fessard had a long history of sexual contact with predominantly male, but also female, minors between the ages of twelve and fourteen. The report diagnosed Fessard as an ephebophile who is sexually attracted to both males and females; it made the recommendation that he have no contact with minors and that he continue outpatient therapy. As a result of that evaluation, Fessard resumed his responsibilities in the Archdiocesan Tribunal and was assigned in residence to the Maryknoll Convent in Monrovia, California.

RCALA 003972

In 1997 a new allegation was made against Father Fessard by REDACTED REDACTED who claimed that at the age of eight or nine he was molested at his home by Fessard. He stated that Fessard entered his bedroom, pulled back the bedcovers, fondled his genitals, pulled on his penis and masturbated him. This allegation was deemed credible, given Fessard's history and pattern of sexual misconduct. In 2000, after Fessard had celebrated a Sunday Mass, a young man approached the pastor and informed him that Fessard was a child molester and wanted to know why he was allowed to say Mass. This young man was a member of the music group assisting at Mass and became very animated when Fessard entered the church; he repeatedly told the music director that Fessard was a child molester, and this comment was overhead by at least one choir member.

By 2002 it had become clear that because of the accusations against him, Father Fessard could no longer continue in ministry of any kind. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from ministry of any priest guilty of even one act of sexual abuse of a minor. After discussing his situation fully at a meeting where he, I and my Vicar for Clergy were present, Fessard resigned his ecclesiastical offices and was prohibited from priestly ministry. He was invited to make a petition for voluntary laicization at that time, but did not do so. He received from the Archdiocese a transition payment and continues to receive a monthly salary as well as financial assistance for health insurance premiums.

In 2003, a criminal investigation of Fessard's sexual abuse of minors led to his case being brought before the Los Angeles County Grand Jury and to archdiocesan records being subpoenaed. However, when the U.S. Supreme Court struck down legislation enacted by the California legislature allowing for the criminal prosecution of certain crimes for which the statute of limitations had expired, the criminal investigation and Grand Jury subpoena were abated. He was invited to reconsider his decision not to petition for laicization, and he again chose not to petition.

Civil lawsuits were not affected by this decision of the U.S. Supreme Court and in 2004, two further denunciations against Father Fessard came to light when a lawsuit for damages related to sexual abuse by Fessard was filed against the Archdiocese. The complainants were two individuals, REDACTED and REDACTED REDACTED REDACTED claimed that, when he was eleven years old, Fessard inappropriately touched him, masturbated himself while fondling REDACTED genitals and kissed REDACTED during this sexual encounter. REDACTED claimed that, when he was fifteen, Fessard forcibly masturbated him, fondled his genitals and massaged his body.

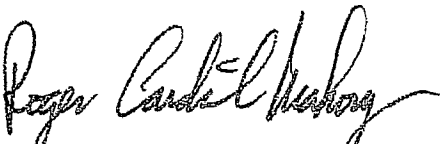
It is important to note that Father Fessard's sexual abuse of minors was not an isolated incident but involved more than twenty individuals with multiple occurrences over a period of many years. He is in fact a sexual predator and can no longer function in ministry as a priest. The urgency of restoring good order in our community cannot be overstated, nor can the need to look to the well-being of the Church be overly emphasized. These considerations are the primary motivation in the formulation of my *votum* in support of Fessard's petition for laicization.

CCI 004275

Moreover, the crimes committed by Father Fessard are notorious and he has admitted his deeds both to civil and to ecclesiastical authorities. Given his multiple and serious sexual abuse of minors, his yet unknown number of victims and the need to protect the welfare of children and to safeguard the reputation of the Church, and given as well the fact that he has no possibility of ever returning to active ministry, and that pending civil litigation in which he is involved may generate negative publicity, his laicization could only redound to the good of the Church. Moreover, Fessard is himself convinced that a return to the lay state would also be in his best interest, with a view to his spiritual welfare. For these reasons, it appears imperative that the Church move promptly to protect the faithful from further danger of outrage and scandal by decisively terminating Father Fessard's status as a priest. Accordingly, I hereby offer my *votum* definitively IN FAVOR OF GRANTING THE AFORESAID PETITION.

With gratitude for Your Holiness' kind attention to this matter, and with the assurance of my prayers, I remain

Sincerely yours in Christ,



Cardinal Roger M. Mahony
Archbishop of Los Angeles

(enclosures)

407772

REDACTED

December 16, 2006

REDACTED

Apostolic Palace
Vatican City State, Europe

Your Holiness,

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

407773

Archdiocese of Los Angeles

Office of the Vicar for Canonical Services
Phone: (213) 637-7888
Fax: (213) 637-6888

3424 Wilshire Boulevard

Los Angeles
California
90010-2202

19 December 2006

RE: Rev. Gerald B. Fessard
Accused of *Graviora Delicta*

The Most Reverend Pietro Sambi
Apostolic Nuncio to the United States of America
3339 Massachusetts Avenue, N.W.
Washington, D.C. 20008

Your Excellency,

Enclosed is a letter, with attachments, from Cardinal Roger Michael Mahony, Archbishop of Los Angeles, addressed to REDACTED the Congregation for the Doctrine of the Faith, regarding the above-captioned case. Included also is a check in the amount of $500 made out to the Congregation, as payment of the customary *taxa* for processing the case.

I respectfully ask you to forward these items to the Congregation.

With gratitude for your kind assistance, and assuring you of my prayerful best wishes, I remain

Sincerely yours in Christ.
REDACTED

(enclosures)

407774

MEMORANDUM

OFFICE OF THE VICAR FOR CLERGY

REDACTED

TO:

FROM:

RE: ***Father Gerard Fessard***

DATE: December 5, 2006

In line with your request, I have gathered the following information regarding the benefits that Father Gerard Fessard is currently receiving from the Archdiocese:

Base Salary	$
Living Expenses	$
Ordination Increment	$
SS Reimbursement	$
In lieu of stipends	$
Total	$



REDACTED

Please let me know if I can be of further assistance to you.

Thank you.

407775

REDACTED

CONFIDENTIAL

Phone: REDACTED

E-Mail: REDACTED

March 1, 2003

His Eminence Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

COPY

Your Eminence:

REDACTED

I recognize that these and other issues are presently under study by virtue of my recourse to the Congregation for the Doctrine of the Faith. I expect that they will be positively addressed in due time, though of course no one can predict when that will be. Meanwhile, my financial condition continues to deteriorate.

407779

Pending the resolution of these issues by the Congregation, therefore, I must ask you for continued assistance in paying the $698.25 per month health care insurance premium I now face. Of the amount advanced to me by the Archdiocese last September, the approximately $342 that remains will be expended with the automatic deduction from my bank account for the month of March.

I will be grateful to hear from you as soon as possible in response to this request. Thank you for your consideration.

Your brother in Christ,

Gerald B Fessard

Rev. Gerald B. Fessard, M.A., J.C.L.

407780

Archdiocese of Los Angeles
Office of the Archbishop
3424 Wilshire Boulevard
Los Angeles California 90010-2202

Re: Prot. No. 223/02
The Reverend Gerald B. Fessard
Graviora Delicta and Petition for
Dispensation from Clerical Obligations

19 December 2006

Cardinal William Joseph Levada
Prefect of the Congregation for the Doctrine of the Faith
00120 Vatican City

Your Eminence:

I write in reference to the above-named priest of the Archdiocese whose case is already known to your Dicastery since Fessard had made recourse previously to the Congregation concerning the level of sustenance accorded him by the Archdiocese of Los Angeles.

Upon being informed of my intention to bring his case to a definitive resolution, and that in the absence of a voluntary petition from him requesting laicization from our Holy Father I would seek his *ex officio* dismissal from the clerical state, Father Fessard, with the advice of his canonical advocate, chose freely to petition Pope Benedict XVI for a dispensation from the obligations of the Sacred Order of Presbyter and those related to the clerical state.

That petition is enclosed with this letter, and enclosed also is my *votum*, addressed to His Holiness, regarding the matter together with a complete report of Father Fessard's situation. As you will see, the *votum* expressed is definitively in favor of granting the aforesaid petition.

I now seek the assistance of your good offices in forwarding the aforementioned documents to their high destination.

Grateful for your kind help, and with the assurance of my prayers, I remain

Sincerely yours in Christ,

Roger Cardinal Mahony

Cardinal Roger M. Mahony
Archbishop of Los Angeles

407781

(enclosures)

[redacted]

Phone: [redacted] E-Mail: [redacted]

December 16, 2006

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed you will find copy of my letter to the Holy Father presenting my petition seeking dispensation from the obligations of the clerical state. The letter I received from [redacted] dated November 16th, stated that you will support in your *votum* my voluntary request for laicization.

This voluntary petition will eliminate any need for you to request my *ex officio* dismissal from the clerical state in your *votum*.

Asking a remembrance in your prayers and assuring you of mine in this holy season, I am

Yours sincerely in Christ,

Rev. Gerald B. Fessard

Cc: [redacted]
Msgr. Gabriel Gonzales

REDACTED

December 16, 2006

His Holiness
Pope Benedict XVI
Apostolic Palace
Vatican City State, Europe

Your Holiness,

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

407783

REDACTED

December 16, 2006

His Holiness
Pope Benedict XVI
Apostolic Palace
Vatican City State, Europe

Your Holiness,

I, the Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in California on May 27, 1972 and have been out of active priestly ministry since February 2002. I have become aware that there is no prospect of my return to priestly ministry.

Acknowledging the reality of my situation and upon the assurances of the archdiocesan authorities that I will continue to receive any necessary financial support, I thus present this petition for a dispensation from clerical obligations. Facing this reality is critical for my spiritual and physical well-being, as well as for the greater good of the Church, which I will continue to love and serve to the best of my abilities.

I thank you most sincerely for your consideration, and I hope and pray that you will respond favorably to my request.

Respectfully yours in Christ,

Gerald B Fessard

Reverend Gerald B. Fessard

407784

REDACTED

COPY

Phone:REDACTED E-Mail:REDACTED

December 16, 2006

Cardinal Roger M. Mahony
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2241

Your Eminence:

Enclosed you will find copy of my letter to the Holy Father presenting my petition seeking dispensation from the obligations of the clerical state. The letter I received from REDACTED dated November 16th, stated that you will support in your *votum* my voluntary request for laicization.

This voluntary petition will eliminate any need for you to request my *ex officio* dismissal from the clerical state in your *votum*.

Asking a remembrance in your prayers and assuring you of mine in this holy season, I am

Yours sincerely in Christ,

Rev. Gerald B. Fessard

Cc: REDACTED
Msgr. Gabriel Gonzales

407785

Check Date: 14.Dec.2006 **ACCLA** **Check No.** 204887

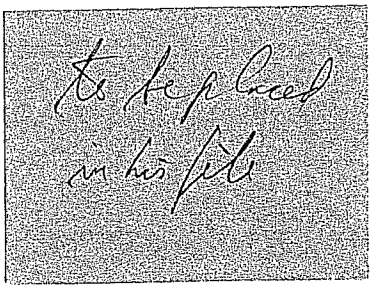
Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
727 VC	12.Dec.2006	00156880	500.00	0.00	500.00

Vendor Number	Name		Total Discounts	
0000002838	Congregation For The Doctrine		$0.00	
Check Number	**Date**	**Total Amount**	**Discounts Taken**	**Total Paid Amount**
	14.Dec.2006	$500.00	$0.00	$500.00

407786

COPY

REDACTED



December 4, 2006

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear Monsignor Gonzales:

I am writing to you after having had a conference call with REDACTED and Father Fessard this afternoon, relating to REDACTED letter of November 16 and Father Fessard's return letter of November 29, 2006. You have copies of both.

REDACTED had phoned to answer the specific question of how Father Fessard's future support would be affected by his decision. REDACTED told us that Father Fessard's necessary financial support would continue and would not be affected by whether Father Fessard comes to be laicized voluntarily or involuntarily.

Before I can advise Father Fessard or place before him the alternatives and consequences of any action he may take regarding laicization, however, I need to know the case against him. REDACTED said that he did not know the details of the case, only that it involved canon 1395(2) allegations.

REDACTED letter of November 16 says that Father Fessard's case "is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution" and that the Cardinal's Votum will recommend that the Pope *ex officio* dismiss Father Fessard from the clerical state. This must mean that the required preliminary investigation has been completed.. The Cardinal's Votum will contain a recommendation for the imposition of the severest penalty that can be imposed on a cleric. Before any response to this matter can be made, it is imperative that the factual basis for this recommendation be known.

The letter states that this recommendation is "due to the great scandal and harm that your actions have brought upon the Church". We do not know precisely what action or actions are referred to, or for what canonical crime this penalty is sought.

407789

REDACTED writes that if Father Fessard wishes to "make a statement regarding his case" it will be included in the material sent to the Congregation. It is difficult to know what meaningful statement regarding his case Father Fessard can make if he does not know what the case against him is, or what the material is that is being sent to Rome to support the Cardinal's recommendation.

Please supply me with the information necessary to know the factual basis on which the recommendation to the Congregation for laicization is based. Especially important would be to be to know what occurred in 2002 for which Father Fessard was removed from ministry, what investigation was undertaken and what was discovered in that investigation that now prompts the recommendation that he be dismissed from the clerical state.

REDACTED has kindly granted an extension to December 18 for a reply and/or statement from Father Fessard. Thank you for your prompt attention to this matter and for your assistance in providing me with information without which I cannot properly advise him.

Sincerely and respectfully yours,
REDACTED

REDACTED for Father Gerald B. Fessard

Cc: REDACTED

His Eminence Roger Cardinal Mahony
Father Gerald B. Fessard

407790

Archdiocese of Los Angeles
Office of Vicar for Clergy (213) 637-7234
3424 Wilshire Boulevard
Los Angeles California 90010-2202

December 8, 2006

REDACTED

Re: Reverend Gerald Fessard

Dear REDACTED

I write in reply to your letter of December 4, 2006 concerning the case of the above-named priest.

I enclose herewith a draft of the Case Data grid which will accompany the materials to be submitted to the Congregation for the Doctrine of the Faith (CDF). As you will note, there are at present eight individuals who have made specific allegations against Father Fessard.

With regard to your question as to why Father Fessard was removed from ministry in 2002, he himself should be able to answer that question for you, as this was fully discussed at a meeting that took place between Cardinal Mahony and Father Fessard with then-Vicar for Clergy Monsignor Richard Loomis also present. To summarize the situation here, allegations had been made against Father Fessard that made it clear that Father Fessard could no longer continue in ministry. At that same time, the *Essential Norms* were being prepared by the U.S. Conference of Bishops calling for the permanent removal from ministry of any priest guilty of even one act of sexual abuse of a minor. Father Fessard has admitted to acts of sexual misconduct and has willingly undergone treatment. In his 2002 recourse to the CDF against the Archdiocese, Father Fessard made reference to "incidents of sexual misconduct on my part that had occurred in 1987" and told the Congregation "I fully acknowledge my responsibility for these sinful actions." (*Letter of November 19, 2002, from Father Fessard to then-Cardinal Joseph Ratzinger, Prefect of the Congregation for the Doctrine of the Faith*, p. 1)

These circumstances contributed to Cardinal Mahony's decision that Father Fessard had to be removed from ministry, and they likewise form the basis now for the Cardinal's belief that the matter can be suitably resolved only by Father Fessard's voluntary laicization or his *ex officio* dismissal.

407793

Apart from this, your letter raises the issue of Father Fessard's future support. I am writing to confirm that Archdiocesan support will be determined in accord with the provisions of canon law.

Trusting that this information is useful and helps to clarify the issues raised in your letter, I remain

Sincerely yours in Christ,

Monsignor Gabriel Gonzales
Vicar for Clergy

cc: REDACTED

407794

REDACTED

RECEIVED
DEC 14 2006
BY:

December 11, 2006

Monsignor Gabriel Gonzales
Vicar for Clergy
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010

Re: Reverend Gerald B. Fessard

Dear Monsignor Gonzales:

Thank you for your letter of December 8, 2006 and the three page chronology of events and the relevant information contained in both.

There is a significant error on page two under the heading *Civil Proceedings Against the Cleric.* The resolution of the 1987 case states that Father Fessard was "ordered to register as a sex offender". Father Fessard tells me that this is not true. When this assertion was first put out in writing by the Archdiocese, in 2002 I believe, Father Fessard had his civil attorney, REDACTED contact the Archdiocesan civil attorney, REDACTED , to correct this harmful error. I am told that the assertion was removed in one document but apparently not in every document in which it was stated, e.g. the one that you sent me. Because spreading this erroneous and defamatory statement could adversely affect where Father Fessard may live as well as generally causing him harm, I ask that the Archdiocese kindly see to it that the statement is removed from every document and record in which it may appear and that those to whom any such document may have been given be advised that it is not true and to delete. Please advise me when this has been done.

To advise Father Fessard properly regarding the Cardinal's invitation for him to request voluntary laicization, it would be helpful to know the following:

REDACTED

Father Fessard is 60 yeas old. This fact could well affect the kind of job he may be able to obtain and the realistic amount he could earn in his pre-retirement years, presuming that he remains healthy. He currently has a part time job managing a mobile home park and lives in a trailor at the park.

Although I appreciate REDACTED assurance that the Archdiocese would not allow Father Fessard to be without necessary financial aid, Canon 1350 (2) seems to limit that legal obligation to one who has been dismissed from the clerical state by the imposition of a penalty. Such would be the case were Father Fessard *ex officio* dismissed from the clerical state, but not if he voluntarily requested laicization. Could he be given an assurance that the legal obligation of canon 1350(2) would obtain in consideration of his voluntarily requesting laicization?

REDACTED has given until next Monday, December 18, 2006 for Father Fessard to decide whether to seek voluntary laicization. Perhaps we could have a few more days if necessary to discuss these matters. I will be available by phone except on Friday, December 15. (REDACTED).

Thank you again for your attention and solicitude,

Sincerely and respectfully,
REDACTED

REDACTED for Father Gerald B. Fessard

cc: REDACTED
Father Gerald B. Fessard

407796

MEMORANDUM

TO: FESSARD CASE FILE REDACTED

FROM: REDACTED

SUBJECT: PHONE CONVERSATION OF 16 DEC 06 WITH GARY FESSARD'S CANONICAL ADVISOR

DATE: 16 DECEMBER 2006

Having received a copy of a letter addressed to Msgr. Gonzales by REDACTED the REDACTED for Gary Fessard (GF), I left a message for REDACTED yesterday, letting him know that I would try to contact him today to respond to the questions he raised in his letter, since Msgr. Gonzales would be out of the office until after the holidays.

This morning, at approx. 9:40 a.m., REDACTED called me and we discussed the matters he had brought up in his letter. I told him that all reference to GF's registering as a sex offender would be removed from the Case Data Grid to be submitted to CDF; I did tell him that there was a copy of the Court Order requiring this kind of registration, but perhaps this was later changed, since GF was evidently not registered as a sex offender. I also informed him that GF would be eligible to start receiving pension benefits at age 65, per a letter from Msgr. Cox, though I could not tell him what the precise monthly amount would be (I told him that GF could get that info. from the Vicar for Clergy office). As far as continuing payment of health insurance premiums was concerned, I could not answer that question. But REDACTED did inform me that GF's employer (GF is working part-time as manager of the mobile home park where he lives) is paying half of the monthly premium. I also assured REDACTED that any necessary financial support would continue to be given in accordance with the norms of canon law.

As to the obligation of support for a dismissed cleric (canon 1350 §2) REDACTED wanted an assurance that should GF voluntarily seek laicization the Archdiocese would still fulfil this obligation, even though GF would not have been dismissed as a penalty. I told him that I was certain that in GF's case — which would be quite different from a priest who petitioned for laicization after leaving ministry and marrying or otherwise pursuing another life — a voluntary petition would in no way reduce the support that he would receive from the Archdiocese in comparison with what he might receive should he be dismissed as a penalty.

I then explained that Card. Mahony was determined to complete his *votum* in the case and send it on Tues., 19 Dec., and that if a petition was received from GF by the previously agreed-upon deadline of 18 Dec., the Card. would support the petition in his *votum*, otherwise the Card. would ask for GF's *ex officio* dismissal. REDACTED wanted to convince GF to submit a voluntary petition, but feared that he could not have such a petition in by the deadline. I sent, by fax, a sample petition to REDACTED (copy attached to present memo), and explained that if GF wanted to make a petition, and I was so informed by 18 Dec., then the Card.'s votum could make refer-

ence to this fact, and support the petition, although the actual petition would not be sent in till after it was received. REDACTED said that he thought it was better that everything should be sent together, I responded that it certainly would be better, but explained once more that the deadline was 18 Dec. and that the Card.'s *votum* would be sent out on 19 Dec. REDACTED wanted no mention made in the *votum* of an *ex officio* dismissal if GF should decide to petition. I told him that should a petition be received by the deadline, there would be no such mention and the Card.'s *votum* would support the petition.

REDACTED said he would get in touch with GF and have GF contact me so that I could also send him the sample petition by fax. After concluding the call with REDACTED I prepared a sample petition and sent it to REDACTED via fax (approx. 10:00 a.m.).

* * * * *

It is now 4:40 p.m., Sat., 16 Dec., and I am preparing to leave the office. I have received no further call from REDACTED, nor any call from GF.

16 Dec 06

REDACTED

Attached is a sample petition for laicization. As you can see, it's really quite simple.

Any question or concerns, please contact me.

Ciao!

REDACTED

407799

SAMPLE PETITION

Reverend Gerald B. FESSARD
REDACTED

[DATE]

REDACTED

Vatican City State

REDACTED

I, Reverend Gerald B. Fessard, hereby petition for a dispensation from the obligations of the Sacred Order of Presbyter and the related obligations of the clerical state.

I was ordained for the Archdiocese of Los Angeles in 1972 and have been out of active priestly ministry since 2002. There is no hope of any return to ministry.

I thus present this petition for a dispensation from clerical obligations as an acknowledgment of the reality of my situation. Facing this reality is critical for my own spiritual welfare as well as for the greater good of the Church.

I hope and pray that you will respond favorably to this request of mine.

Sincerely yours in Christ,

Reverend Gerald B. Fessard

407800

REDACTED

Phone: REDACTED E-Mail: REDACTED

November 29, 2006

REDACTED
Archdiocese of Los Angeles
3424 Wilshire Boulevard
Los Angeles, CA 90010-2202

CONFIDENTIAL

Dear REDACTED

I received your November 16 letter, with November 21 cover, last Wednesday, the day before Thanksgiving. I appreciate your offer to extend the time for my reply in view of the incorrect address to which the letter was originally sent.

I have received the news that Cardinal Mahony intends to seek from the Holy Father my dismissal *ex officio* from the clerical state with great surprise, shock and disappointment. I have always been convinced that my vocation to the ordained priesthood was a genuine call from God, confirmed by the Church after many years of testing and evaluation in seminary formation. Despite my failings and shortcomings, and despite my removal from public priestly ministry in 2002, it has been my hope to remain a priest for the rest of my life. That hope remains to this day. Thus my sadness and disappointment at the news contained in your letter, especially in that I have thus far cooperated fully with what I have been asked to do as part of repentance and recovery.

Before I can make a complete response, I must seek some further clarification of the options you outlined in your letter. Specifically, if I should choose to oppose the Cardinal's petition to the Congregation for the Doctrine of the Faith, and if his petition should be granted,, resulting in my dismissal from the clerical state, would I continue to receive the essential financial assistance that I am currently receiving from the Archdiocese? If, on the other hand, I were to request laicization voluntarily, would I continue to receive this essential financial support?

I would appreciate your prompt response to these questions, so that I may proceed with my response.

Fraternally in Christ,

Gerald B. Fessard

Reverend Gerald B. Fessard, M.A., J.C.L.

P.S. I wish to inform you that I have engaged REDACTED as my canonical advisor. A copy of my signed Mandate is enclosed herewith.

Cc: REDACTED

407802

MEMORANDUM

TO: FESSARD CASE FILE REDACTED

FROM: REDACTED

SUBJECT: PHONE CONVERSATION OF 4 DEC 06 WITH GARY FESSARD & HIS CANONICAL ADVISOR

DATE: 4 DECEMBER 2006

Having received a letter from Gary Fessard (GF) in response to my letter to him of 21 Nov 06, in which GF posed two specific questions for me to respond to, I phoned GF this morning and left a message on his answering machine.

GF called me back later, and I addressed his questions, telling him that the support he would continue to receive was a completely separate issue from whether he chose to petition voluntarily for laicization or not. I explained that his ongoing support would not be affected in the least by any decision he might make about whether to petition for laicization. The issue of ongoing support appears clearly to be GF's overriding concern in the resolution of his case.

GF then asked if he could include his canonical advisor (c.a.) in a conference call connection so that I could repeat to him what I had just told GF. I had no objection.

With GF and c.a. on the line, I repeated what I had just said. A discussion ensued about what would be in GF's best financial interests, in terms of support he would be guaranteed from the Archdiocese: would it be best for him to petition, or should he fight to remain a cleric?; which course of action would give him the greater leverage for claiming financial support from the Archdiocese? I interjected that whether GF were a cleric or not, the Archdiocese would certainly see to it that his needs were properly met. GF then seized the opportunity to say, "So, if I petition and am laicized, the Archdiocese will continue to give me the same support I am now receiving?" I responded, "I'm not saying that Gary. I'm saying that regardless of whether you are a cleric or not, the Archdiocese will meet its obligations to see that you are not in need." GF rejoined, "Oh, you mean they'll make sure I don't end up on the street!"

C.a. asked what the allegations against GF were. I responded that I was not the one who had prepared the materials for CDF, so I did not know precisely what the allegations were. (GF had made a previous recourse to CDF, and the Archdiocese used the services of an external canonist to deal with the case; now as the materials were being prepared to send to Rome, the services of this same canonist were used in preparing everything, including a draft of REDACTED REDACTED *votum*.) However, I did share that I knew that there were allegations of sexual abuse of minors, and that GF had been criminally charged and sentenced in relation to some of these accusations. I further told c.a. that GF would certainly know of the allegations against him, as these are what led to his being charged criminally and eventually to his resigning his various of-

fices in the Archdiocese and being placed on administrative leave. At that point, GF and c.a. started to engage in an involved conversation about GF's history with CDF and the Archdiocese in terms of GF's having been placed on leave, making recourse to CDF against the Archdiocese; they also talked about assignments that had been given to GF after he had completed the terms of his criminal sentence and been evaluated and received treatment. It was quite apparent in all this that c.a. was not familiar with any of the specifics of GF's case.

As the two continued, I asked whether it was necessary for me to be on the line while they talked about what probably should have been done much earlier, that is, while GF explained the details of his situation and history to c.a. I told GF and c.a. that all I really needed to know, as I had asked in my letter, is whether GF would like to make a statement about his case to be included with the materials that would be submitted to CDF and, since GF had raised the possibility of his petitioning voluntarily for laicization, whether he might wish to make such a petition; two simple questions. I then asked GF whether I could expect an answer to these questions within the time limit indicated.

C.a. interrupted saying, "How can I advise Fr. Fessard about whether he should petition for laicization or oppose REDACTED request for dismissal if I haven't seen the files?" I responded that GF should be able to let c.a. know what the substance of any files are, since he was directly involved, and also since the materials of his recourse to CDF would have dealt with the same allegations. C.a. then asked whether he should contact REDACTED or REDACTED about access to the files, I told him I did not know, and again suggested that he might want to talk with GF who should be familiar with the various details, again, since he was the one directly involved, the one who had to answer criminal charges, the one who was sentenced and had to fulfill the conditions imposed on him, who resigned his various offices at the Archdiocese in response to the allegations and was placed on administrative leave, etc. C.a. was not satisfied and said he would need time to discuss things with GF and would need to try to gain access to relevant files.

The question of the initial deadline of 11 Dec was then raised anew. I again told GF and c.a. that the questions were only two, and really very simple: did GF wish to petition voluntarily for laicization; and did he wish to make a statement regarding his case to be included with the material to be submitted to CDF? C.a. thought that maybe another week should be added to the deadline, making it 18 Dec instead of 11 Dec GF agreed that he could get back to me by that date, 18 Dec, if he had anything he wanted to say.

So, by mutual agreement of GF, c.a. and myself, the deadline for GF to respond to the invitation to make a statement to CDF and to decide whether he might wish to make a voluntary petition for laicization was extended one week, to 18 Dec 06.



Archdiocese of Los Angeles [redacted] 3424 Wilshire Boulevard Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

16 November 2006

Reverend Gerald B. Fessard
[redacted]

Dear Gary,

Upon my return from Rome, I was appointed [redacted] for the Archdiocese of Los Angeles and it is in that official capacity that I now contact you, to let you know that your case is about to be placed before the Congregation for the Doctrine of the Faith in Rome for a definitive resolution.

In this regard, it is my unpleasant duty to inform you that due to the great scandal and harm that your actions have brought upon the Church, Cardinal Mahony does not believe that anything short of your dismissal from the clerical state will adequately redress the harm done, repair the scandal given or properly restore justice. In the *votum* that he will present to the Congregation, therefore, he plans on recommending that Pope Benedict XVI dismiss you *ex officio* from the clerical state. Of course, should you decide to request laicization from our Holy Father, the Cardinal will support your request in his *votum*.

I write now to invite you to send me any statement that you may wish to make regarding your case so that it can be included with the material that will be sent to the Congregation. If you would like to provide such a statement, please see that it is delivered to me ***no later than Monday, 4 December 2006***. And should you have any questions or concerns regarding this matter, please feel free to contact me at 213-637-7925; I will be happy to speak with you and to offer whatever assistance I can.

Gary, know of my prayers for you as we seek to bring this difficult situation to a proper close.

Sincerely yours in Christ,

[redacted]

407805

cc: Msgr. Gabriel Gonzales

Archdiocese of Los Angeles

REDACTED

3424 Wilshire Boulevard

Los Angeles California 90010-2202

PERSONAL AND CONFIDENTIAL

21 November 2006

Reverend Gerald B. Fessard
17024 S. Western Ave., No. 44
Gardena, CA 90247

Dear Gary,

Last week I sent you a letter at a Laguna Beach address that I had on file for you, but it has now been brought to my attention that the Laguna Beach address is no longer current for you. I have therefore attached to the present letter a copy of the previous correspondence, and I apologize for the oversight in using an outdated address.

The content of the letter is self-explanatory, so I shall not repeat it here. But I would ask you to take a moment and read the attached letter now before continuing with what I am writing here.

* * * * *

Hoping that you have taken a moment to read the attached correspondence, I continue.

Since the information conveyed in the previous letter has probably been received by you later than anticipated — because of the error in the mailing address — I am pleased to extend the deadline for you to respond to me. Accordingly, if you would like a statement to be included in the material to be sent to the Congregation for the Doctrine of the Faith regarding your case, please see that it is delivered to me ***no later than Monday, 11 December 2006.***

And, Gary, I would like to repeat that I am happy to speak with you regarding this matter if you should have any questions or concerns. Thanking you for your understanding and assuring you once more of my prayers, I remain

Sincerely yours in Christ,
REDACTED

CONFIDENTIAL

10 May 2006

RE: Rev. Gerald Fessard

REDACTED

Diocese of Pittsburgh
111 Blvd. of the Allies
Pittsburgh, PA 15222-1698

Dear REDACTED

Here are the copies of the material you requested from Gerald Fessard's files.

Thank you for your assistance in this matter. Please feel free to contact me via e-mail or at REDACTED if I may be of additional assistance or if you have any questions or comments.

Sincerely,

REDACTED

Enclosures

407807