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Local News: Rockford

## Judge to review priest's files

▪ The Rockford Diocese must turn over its papers on a man who pleaded guilty this month to sexual abuse.

By GERI NIKOLAI, *Rockford Register Star*

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The Catholic Diocese of Rockford has been ordered to turn over church documents about a priest who two weeks ago pleaded guilty to the sexual abuse of two minor girls.

The 2nd District Appellate Court ruled May 21 that a Kane County judge should review files on the Rev. Mark Campobello, who is to begin serving an eight-year prison sentence Friday.

The question of church records on Campobello became an issue a year ago when prosecutors in Kane County subpoenaed the diocese for personnel files, transfer records and misconduct reports on the priest.

The church refused. When Kane County Judge Timothy Sheldon backed the prosecutor, the church asked to be held in contempt of court so it could appeal.

That was done, and the case went to the Appellate Court in Elgin, which now has ruled that the records should be turned over to Sheldon. He is to review them in private and then decide whether they can be used in court or are protected.

The timing of the ruling is unusual because the criminal case involving Campobello presumably ended with his plea May 13, although Campobello has until June 13 to ask to withdraw his plea. Even if Sheldon were to rule that the documents are available to prosecutors, it is unclear whether or how they would become public.

Observers have termed the records case an important one because it could set precedent for church privacy questions in Illinois.

refused to let her talk, Kapp said.

Because that was all the church knew, he said, diocesan officials were surprised when police arrested Campobello in early

### By the numbers

There are 418,891 Catholics in the 11-county Rockford Diocese headed by Bishop Thomas G. Doran.

### Key dates

- December 2002: Mark Campobello is arrested by Geneva police on charges of sexually assaulting a minor girl. The Catholic Diocese of Rockford immediately relieves Campobello of all priestly duties.
- January 2003: Campobello pleads not guilty to 15 counts of sexual assault and abuse of a minor.
- May 2003: Diocese officials refuse to turn over Campobello's records as ordered by a Kane County court. The diocese is held in contempt so it can appeal the order.
- October 2003: Grand jury indicts Campobello on three additional charges of criminal sexual abuse after a second young woman says Campobello assaulted her.
- May 13: Campobello accepts a plea bargain in which he admits to assaulting each of the girls once. He is sentenced to four years on each count, to be served consecutively.
- May 21: 2nd District Illinois Appellate Court

December 2002. The diocese immediately stripped Campobello of his right to say Mass or wear priestly garments, although he remains a priest unless the Vatican expels him.

In its decision, the Appellate Court discounted many diocesan arguments as to why its records should not be made public.

"The diocese reiterates throughout its briefs that the state's subpoena is an intrusion into the diocese's religious activity ...," the court said. "However, the diocese cites not one aspect of its administration that the state threatens to commandeer."

In another part of the ruling, the Appellate Court said it rejected the diocese's attempt to "conjure a right to secrecy, and with it immunity from the state's subpoena power, simply by pointing to the veil it has cast over itself."

The court did lift the order of contempt against the church, saying it had shown no disdain for the court in bringing the appeal.


"We don't view this as a defeat," said attorney Ellen Lynch, who represents the diocese.

"The court said we acted in good faith. That's as important to us as the other rulings," Lynch said.

The real question, she added, is whether this case needs to continue: "It seems to me it is moot inasmuch as the criminal proceeding is concluded."

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