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MEMORANDUM

REDACTED

TO: File

FROM: Msgr John C Wester

DATE: 14 December 1997

RE: Summary of significant communications and developments regarding allegations made against Father James Aylward by Father John Conley

The following notes give an overview of significant developments brought to my attention regarding allegations against Father Aylward. Separate memoranda cover the more important developments in greater detail.

Initial Contact

Father Conley met with Bishop McGrath and Jack Hammel on Monday, November 17, 1997, informing them that he had heard noises coming from an inner office in the rectory. When he investigated, he found [redacted], the young man who answers the phones, getting up from the floor. At the same time, a man was crawling on all fours out the back door of the inner office. When Father Conley asked [redacted] what was happening, the young man responded that he and Father Aylward had been wrestling. Father Conley related that he had an appointment with the District Attorney of San Mateo and he intended to go forward with that meeting.

Father Conley had his meeting with the District Attorney who subsequently asked Bishop McGrath not to call Father Aylward since such a contact would jeopardize his investigation. The Bishop McGrath, in consultation with Jack Hammel and me, reluctantly decided to agree to the District Attorney's request. The police visited Father Aylward on Wednesday, November 19, 1997.

Penal Procedure

Bishop McGrath initiated a Penal Procedure for the purpose of investigating the allegations brought forward by Father Conley. Jack Hammel and I were appointed as delegates in this procedure. Bishop McGrath and I met with Father Aylward (cf. Memorandum). I attempted to meet with the [redacted] (cf. Memorandum) and Father Conley sent me his notes (cf. memorandum and attachments).

The police found no evidence of child abuse and considered the case closed. Bishop McGrath, in consultation with the Archbishop, Jack Hammel and ^{MC} decided not to remove Father Aylward from the parish. Father Aylward voluntarily sought psychiatric help given the inappropriate behavior which, although not child abuse, remains a cause of concern.

Father Conley's reaction

Father Conley expressed shock and dismay that Father Aylward was not to be removed from the parish. He called me at 5:00 a.m. one day early in the week of November 23 to state that he could not remain in the rectory and would move to a hotel. He expected the Archdiocese to pay the bill. This turned out to be the beginning of a series of interventions by Father Conley, all of which reflect his disagreement with the decision not to immediately remove Father Aylward from the parish. Father Conley and I had several phone conversations in which he expressed great

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anger over the situation. He spoke disparagingly of the Archbishop, Bishop McGrath and the Archdiocese in general. He believes that we are covering up in order to protect Father Aylward

I informed Father Conley on two separate occasions that the Archbishop expects Father Conley to remain silent on the entire matter. Father Conley expressed anger at this on both occasions and informed me that he could talk to whomever he wished and the Archbishop could not dictate to whom he could speak.

Father Conley and Father Aylward argued on Sunday, November 30 and Father Conley yelled at Father Aylward, calling him a pedophile. Father Conley later apologized to Father Aylward for this outburst (which was no doubt heard by others) but later gave Father Aylward a letter in which he urged Father Aylward to leave the parish immediately. See pertinent memoranda in this file which, although not directly related to these episodes, reflect the anger evident in Father Conley's reaction.

Father Conley also spoke openly regarding these allegations at a priest age group meeting. Bishop McGrath called him in subsequent to this and again informed him that he may not speak publicly about the allegations.

During the week of December 1, 1997, Father Conley alleged that he witnessed Father Aylward sexually arousing his dog. In addition, Father Conley asserted that the housekeeper (Eileen Prindeville) left St. Catherine Parish because she witnessed Father Aylward having sex with the dog. Ms. Prindeville does not refer to any such incident and denies categorically that she left St. Catherine Parish because of Father Aylward (cf. memorandum). When I met with Father Aylward regarding this latest allegation, he was shocked and unequivocally denied the accusations regarding his dog.

Throughout the past four weeks, Father Conley has insisted that the police and the District Attorney are upset with the Archdiocese for not removing Father Conley. Jack Hammel has been in contact with the commander of the police who is supervising the case. He contradicts Father Conley's assertions. He states that the police are quite in accord with the Archdiocese's decisions and do not at all disagree with the position we have taken.



THE ARCHDIOCESE OF SAN FRANCISCO

OFFICE OF THE ARCHBISHOP

ONE PETER YORKE WAY, SAN FRANCISCO, CA 94109-6602 (415) 614-5500

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January 10, 2002

Rev. John P. Conley
Saint Philip the Apostle Church
125 Diamond Street
San Francisco, CA 94114

Dear Father Conley,

As you know, more than three years ago I asked that you undertake a program of remedial assistance through counseling or therapy to address and, hopefully, resolve your issues of anger control and hostility. You failed to do so.

Nonetheless, in a spirit of reconciliation, I agreed to provide you with a part-time assignment at Saint Philip the Apostle Parish. In view of your medical condition, I gave you an appointment as a half-time Parochial Vicar, at full salary, on November 1, 2000. Unfortunately, your inability to control your anger has continued at Saint Philip's with the most recent outburst resulting in the harassment of the Parish Secretary. Father Healy has now indicated that he does not want you to continue in residence at the Parish as a result of these continuing incidents.

Under the circumstances, I cannot consider another assignment for you unless you get help for your anger control. While I could well have invoked a canonical penal process for your actions toward the Parish Secretary, I have refrained from doing so. I assumed that you would see on your own that you have not addressed these issues, but that assumption has not been verified to date.

Further, I have had the opportunity to more fully reflect on your recent request to exercise ministry in the Archdiocese of Vienna, Austria. I do not feel I can

support such an assignment until this anger issue is addressed professionally.

There is also the issue of your maintenance and support while serving in Vienna. You have suggested that you would need supplementary support from the Archdiocese during the course of this assignment. It is not the policy of the Archdiocese to provide financial support or benefits for priests exercising ministry outside of the Archdiocese of San Francisco. Nonetheless, if you accept a mutually agreeable anger control program, I would be willing to recommend you to the Archdiocese of Vienna and would cover appropriate supplementary expenses if our lawyers can include this in a formal settlement agreement.

In summary, I continue to be willing to forego pursuing a penal action against you relative to your conduct at Saint Philip's in the fraternal hope that you will seek appropriate psychological help. However, if you fail to undertake a mutually agreeable program within the next 30 days, I will be unable to recommend you for the assignment in Vienna, or consider you for any other assignment. Moreover, I would feel compelled to begin a formal canonical penal process in response to your conduct at Saint Philip's.

In the interim, and by virtue of Canon 552, your assignment as Parochial Vicar at Saint Philip the Apostle Parish is ended effective immediately. I am placing you in residence at Serra High School. Please contact Bishop Wester for the details of this assignment in residence.

Sincerely yours in Christ,



Most Reverend William J. Levada
Archbishop of San Francisco

cc: Bishop John C. Wester



THE ARCHDIOCESE OF SAN FRANCISCO
OFFICE OF THE ARCHBISHOP

FILE COPY

445 CHURCH STREET, SAN FRANCISCO, CA 94114-1799 (415) 565-3600

December 22, 1997

Rev. John Conley
St. Catherine Church
1310 Bayswater Avenue
Burlingame, CA 94010

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Dear Father Conley:

I deeply regret that our meeting last Saturday, December 20, had to come to an abrupt halt due to your insistence on using a tape recorder at a certain point in our meeting. As I mentioned to you at the beginning of our meeting, it is not my practice to tape record meetings with priests on personal or personnel issues.

You suggested that your attorney recommended that you tape record this meeting. Perhaps your attorney is not aware of the relationship between a bishop and his priests in the Catholic Church, which must presume a mutual trust and priestly fraternity. I can only judge his advice to be seriously mistaken, and I suggest that you reconsider it.

Since I was unable to complete our conversation about your ministry at St. Catherine's because of the appearance of the tape recorder, I will take the occasion of this letter to outline my principal concerns, all of which I would have preferred to speak to you about in person.

I mentioned to you my concern about your using the word "pedophile" to describe Fr. Aylward. The reports I have been given indicate that both the civil authorities and the chancery investigators convincingly found that Fr. Aylward and the young man in question were wrestling; both of them confirm that this was the case, and your own report corroborates this. While wrestling with a young parishioner could not be called prudent behavior on the part of a priest, neither should it be described as "pedophilia." Therefore, while I understand the initial concerns you had and, with the help of the chancery, your reporting them to the civil authorities, it would be wrong for you to now ignore the actual findings of the investigations.

In order to alert you to the seriousness of this matter, I asked you in virtue of your promise of obedience to your bishop not to use this or similar words to describe your brother priest, Fr. Aylward, to the detriment of his good name and reputation. In my judgment, such activity on your part could render you guilty of the serious offense of calumny. For this reason I exercised my pastoral authority to place you under obedience in refraining from using this name to describe Fr. Aylward.

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Secondly, I wanted to share with you my concerns related to several reported instances of your inappropriate behavior, even outbursts of anger, both within the conduct of the liturgy and in other circumstances, which have come to my attention. When we are able to resume our meeting without the presence of the tape recorder, I would like to offer you an opportunity to comment on these episodes from your point of view.

Because these concerns were unable to be addressed in a satisfactory manner during our December 20 meeting, I felt I had no choice but to place you on administrative leave. I gave you the option of beginning either immediately, or on December 26, if you felt that fulfilling your pre-announced Christmas schedule would be preferable for you. After further reflection on the seriousness of your refusal to meet with me without a tape recorder, not to mention the derogatory language used in my regard, as well as the concerns mentioned above, I now believe I can no longer confide to you the pastoral care of the people of St. Catherine's parish as their Parochial Vicar.

Your assignment as Parochial Vicar of St. Catherine's parish will end on December 31, 1997. Please contact Msgr. John Wester, Vicar for Clergy, regarding your new assignment. Please note that any new assignment will presume that you and I have been able to achieve a successful conclusion to our meeting of December 20. I believe one month for reflection and prayer should provide adequate time for you to contact Msgr. Wester and make the necessary arrangements to continue our meeting. Thus I am designating January 20, 1998, as the date by which you are to take the steps outlined above as an exercise of your priestly obedience to your bishop.

As of January 1, 1998, I am assigning you to temporary residence at Vallombrosa Retreat Center in Menlo Park. Please contact the director, Fr. Thomas Madden, who will make the necessary arrangements. This temporary reassignment does not entail any restrictions on the exercise of your priestly faculties.

After December 31, the Archdiocese will be responsible for your salary and benefits until you have been reassigned to new priestly duties. As of December 31, moreover, the Archdiocese will not assume any further responsibility for your lodging expenses outside your assigned ecclesiastical residence. Any outstanding bills may be processed through the office of the Vicar for Clergy.

Sincerely yours in Christ,

Most Reverend William J. Levada
Archbishop of San Francisco

cc: Rev. Msgr. John Wester

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