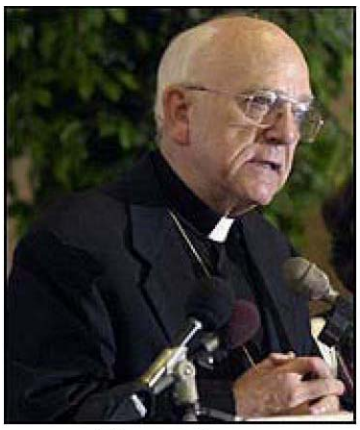
US court indicts retired Roman Catholic bishop of child rape



Thomas Dupre

A Hampden County grand jury has indicted the Most Rev. Thomas L. Dupre, the retired Roman Catholic bishop of Springfield, on two charges of child rape. But just hours after the unsealing of the indictments yesterday, the county district attorney said he would not prosecute Dupre because the charges fell outside the statute of limitations.

The grand jury secretly indicted Dupre, making him the first US bishop to face criminal charges for sexual abuse. The jury charged Dupre with raping two boys on multiple occasions in the 1970s.

But Hampden District Attorney William M. Bennett, acting before most of the 260,000 Catholics in the diocese had learned of the indictment, said yesterday that it was his ethical obligation to dismiss the charges because his office had found no evidence to support extending the statute of limitations. The statute in force at the time of the alleged crimes put a six-year limit on prosecuting such offences.

Dupre could still face charges in other jurisdictions where the alleged victims say he had sex with them on camping trips. Bennett said that he was referring the case to prosecutors in New Hampshire, New York, and Canada, and that he would alert the US attorney's office. Some of the allegations involve interstate travel, which could trigger federal statutes. District Attorney Bennett had convened a grand jury in March to consider whether to bring criminal charges against Dupre. He said at the time that he believed that even though the six-year limit had long since passed, the bishop might still be prosecuted because he allegedly took steps as recently as last year to conspire to keep the abuse secret. Bennett, explaining his decision not to prosecute, said yesterday that he used the grand jury as an investigative tool and that it was in the public interest to determine whether Dupre had committed statutory rape against the two alleged victims, whether there were other victims, and whether Dupre had engaged in a coverup. “We needed to find out whether there were any circumstances under which the statute of limitations could be tolled, whether or not there was a direct conspiracy,” Bennett said. Bennett said the seven-month investigation had found no evidence of other victims, and no evidence that the diocese had helped cover up the alleged abuse, or that Dupre had destroyed evidence against other sexually abusive priests.

Bennett's decision not to prosecute outraged some victims’ advocates. But it did not come as a surprise to the attorney for the two men who say Dupre raped them. Attorney Jeffrey A. Newman said both he and the alleged victims accepted the legal reasoning.

“My understanding is that the grand jury members were informed that the statute was insurmountable, but that the evidence was so compelling that they decided to render the indictments anyway,” Newman said. “I informed my clients this morning about the circumstances. They were grateful for the vote of support by the grand jury, and while disap-

pointed that it is not going forward, they understand and accept it."

District Attorney William Bennett did face harsh criticism from some who have pressed the Springfield diocese to crack down on abusive priests. The Rev. James Scahill, a priest who testified before the grand jury and was instrumental in forcing Dupre to resign, accused Bennett of political cowardice and suggested Bennett's friendship with Dupre's lawyer, Michael O. Jennings, played a role in the decision. Jennings and Bennett shared a private law practice before Bennett was elected district attorney in 1990.

"This is a travesty," said Scahill, who counselled the mother of one of the alleged victims and helped persuade her and her son to come forward with the allegations. "We've known for some time we were not going to get honesty out of this institutional church, and now we've been let down by the legal system for political reasons." Dupre's lawyer called suggestions that Bennett dismissed the case as a favour to him "ridiculous." Newman, the alleged victims' lawyer, said he did not believe that past ties between Jennings and Bennett played any role. "If there was a conspiracy, this would have ended a long time ago," Jennings said.

Since the scandal within the Roman Catholic Church in the US erupted in 2002, first in Boston, then throughout the United States, four other US bishops have resigned after being accused of sexual abuse of minors, but Dupre was the first to face criminal charges. the vile wickedness of Rome

According to the indictment, Dupre began raping one of the boys in 1976 in Chicopee and West Springfield. He is accused of raping the other boy in 1979 in West Springfield. The two alleged victims say Dupre plied them with alcohol and showed them sodomite pornography. Dupre agreed to accept his appointment as bishop only after they promised never to reveal the nature of their relationship.

Their lawyers said that the two men, one of whom lives in California, the other in Massachusetts, began to reassess their relationship with Dupre over the last year. The California man, now 39, was moved to come forward, his lawyers said, after reading a newspaper account in which Dupre took a lead role in denouncing sodomite marriage.

Dupre, 70, abruptly resigned and retired last February after being confronted with the allegations and has since been treated at St. Luke Institute, a Catholic psychiatric hospital in Maryland known for treating priests who sexually abuse minors. Dupre's status within his church remains unclear. Mark E. Dupont, a spokesman for the Springfield diocese, said no one in the diocese knows where Dupre is, nor whether he will face disciplinary charges. "He has no canonical relationship with the diocese." "Bishops are answerable only to the Holy See and the pope."

As ever, Rome forgets of the account that she must give to God!