

Diocese fights request in case against former Geneva priest

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Rockford **Diocese** officials are challenging prosecutors' request for records of a former Geneva priest accused of sexually abusing a 14-year-old girl.

In court documents filed Wednesday, an attorney for the **diocese** argues that the request for records of Mark Campobello violates state laws regarding the confidentiality of mental health records and church laws protecting records from internal investigations.

Campobello, 38, was arrested in December after a girl, now 18, made allegations that he abused her while he was a resident priest at St. Peter's Catholic Church in Geneva. He faces five counts of criminal sexual assault and five counts of criminal sexual abuse that the girl says occurred between January and May of 1999. The girl, who was 14 at the time, was a student at St. Peter's.

Prosecutors and police have declined to provide details about where the abuse occurred.

Assistant State's Attorney Jody Gleason filed a request with the **diocese** for Campobello's personnel file and transfer records. Her request also asked for records involving any internal investigations regarding the allegations, secret records kept by the church and any records from St. Luke's Institute in Maryland, a facility that treats priests accused of sexual misconduct. Gleason said she is uncertain if Campobello underwent treatment at St. Luke's.

Diocese officials immediately removed Campobello from his duties as a parochial administrator at St. James Parish in Belvidere after his arrest. On Wednesday, officials maintained they were willing to cooperate with prosecutors, but noted state and church laws prohibit them from turning over certain records.

"It's not that we're unwilling to cooperate," said Ellen Lynch, an attorney for the Rockford **Diocese**. "If there were no laws preventing us from doing this, we would turn (the records) over."

A written statement from the **diocese** reads:

"The Catholic **Diocese** of Rockford's interest in the legal proceedings against Father Mark Campobello are two - that the truth is revealed and that justice is served. Accordingly, the **diocese** is committed to cooperate with prosecutors and defense counsel to the extent that this cooperation does not put the **diocese** in violation of the laws of the state or of the Church."

In court documents filed Wednesday, Lynch argued that the state's Mental Health and Developmental Disabilities Confidentiality Act prohibits the release of mental health records. She noted that Campobello's personnel file includes mental health records, and any information from St. Luke's would consist "entirely of mental health records." However, Lynch declined to describe the facility or say if Campobello ever was admitted to St. Luke's.

In her response to prosecutors' request for records regarding internal investigations by the church and any secret records kept by the church, Lynch said the church law requires those records be confidential.

She argued that requiring those confidential records be turned over "obliterates the wall of separation created by the First Amendment of the United States Constitution." She added that turning over such documents also would "strip the Catholic **Diocese** of Rockford of its

constitutionally guaranteed independence and freedom from governmental intrusion."

Campobello will appear in court again on March 6. A hearing date to determine if the records should be turned over has not been scheduled.