

Judge lets diocese keep priest's records closed

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A Kane County judge ruled that a high court decision demanding openness from the church came too late to shed light on a former Geneva priest's life - for now.

The 2nd District Appellate Court ruled in May that the Rockford Catholic Diocese must turn over to Kane County Judge Timothy Sheldon records of a priest accused of sexually abusing young girls.

Sheldon, however, on Friday declined to peruse the records and instead upheld the diocese's objection to unsealing documents of Mark **Campobello's** church transfers, a referral to a mental health hospital in Minnesota and internal church investigations into allegations of abuse.

Sheldon said the demand for records made by prosecutors preparing for trial - a request upheld by the Illinois Appellate Court - were no longer needed now that **Campobello** pleaded guilty and has passed the deadline for appealing his sentence.

**Campobello** was convicted of aggravated criminal sexual abuse against a 14-year-old from St. Peter's School in Geneva and a 16-year-old from Aurora Central Catholic High School.

Still, Sheldon said he would reconsider reviewing the records and turning over anything relevant to prosecutors if **Campobello** tries to overturn or lessen his sentence in the future.

**Campobello's** attorney Van Richards of Elgin said his client does not intend to fight his conviction. He is serving eight years in the Illinois River Correctional Center, a medium-security prison in Canton. He can seek parole May 13, 2008.

Although the diocese had waived its right to fight the appellate court's ruling that it turn over the records, diocese attorney Ellen Lynch of Rockford said she would not automatically turn over records if **Campobello** fought his conviction. She would need to look at the reasons **Campobello** would be seeking sentencing relief.

That same scrutiny would need to be applied if the records are requested for the two pending civil suits against **Campobello** and the diocese by the his victims, she added.

Even though prosecutors are no longer preparing for trial, they had argued unsealing the records was in the public's best interest and retained a precedent of openness.

"Delay cannot defeat justice," said prosecutor Nemura Pencyla. "This court can only function by the enforcement of its rules."

Dioceses attorneys contended, and Sheldon agreed, that because the record request was narrowly tailored to **Campobello** rather than creating some type of public policy, it served no greater public good to release the records after the criminal case between **Campobello** and his victims was finished.

Lynch said the appellate court ruling already gave guidance to lower courts that church internal records could be turned over to a judge for review in criminal cases, so there was no need to turn over **Campobello's** records as a precedent.

But, at the same time, Lynch said she doubted that the appellate court's ruling would apply to all priest abuse cases.

"I would have to see the next case that comes along," she said.

Other attorneys have speculated that the appellate ruling sets a precedent for all similar cases in the court's district, which encompasses the counties of Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Lake, Carroll, Ogle, Lee, DeKalb, Kane, Kendall and DuPage.