

From: Rev Fr Vasile Susan
5413 N Nottingham Ave
Chicago, IL. 60656
Phone: 773-220-9503;
E-mail:vasilesusan@hotmail.com

Date: June 23, 2005 Commemorating day of Martyrs Agrippina and Aristokleos

To: The Most Blessed His Beatitude HERMAN
and the OCA Holy Synod of Bishops,
6850 N. Hempstead Turnpike
Syosset, NY 11791
and the Office for the review of Sexual Misconduct Allegations

Subject: **IMPEACHMENT OF HIS EMINENCE ARCHBISHOP NATHANIEL POPP of the
ROMANIAN ORTHODOX EPISCOPATE OF AMERICA,
AND
A FORMAL COMPLAINT AGAINST REV FR**

Your Beatitude, Beloved Hierarchs of the Holy Synod of the Orthodox Church in America.

Respectfully, I would like to introduce myself.

I am Rev Fr Vasile Susan, former parish priest of the St Mary's Romanian Orthodox Church in Chicago, IL. I have served that parish from Sept 14, 1992 until March 1, 2004, under the omophorion of His Eminence Archbishop Nathaniel Popp, as part of the ROEA.

Currently, a Romanian Orthodox clergyman, uncanonically excommunicated (without due canonical procedure and due process of the law); released from ROEA and NOW under the omophorion of His Beatitude Metropolitan Herman and canonically attached to the Altar of St Sergius Chapel, Oyster Bay Cove, NY.

With brotherly love and humbleness, I am submitting to your attention the material enclosed herewith:

- 1 The formal complaint for impeachment of His Eminence Archbishop Nathaniel Popp of the ROEA
- 2 The charges against His Eminence Archbishop Nathaniel Popp as violations of:
 - a) the Holy Scripture
 - b) the Canons of the Holy Orthodox Church
 - c) the basic Dogma of the Orthodox Church
 - d) the ROEA Constitution and By-Laws, ART XV
 - e) the OCA Statute and By-Laws,
 - f) the OCA Holy Synod of Bishops 1994 Guidelines for responding to sexual misconduct allegations
 - g) the OCA Holy Synod of Bishops statement on sexual abuse (issued ... during its Spring session of April 1- 4, 2002)
 - h) the Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct

- 3 Letters of release to prove the arbitrary nature of His Eminence's decisions, the double standard
 - a) of Rev Fr _____ - dated as of May 9, 2001;
 - b) of Rev Fr Vasile Susan - dated as of January 22, 2004;
 - c) of Rev Fr Remus Bleahu - dated as of June 1, 2005;
 - d) V Rev. Fr. Richard Grabowski's letter dated January 30, 2004

- 4 The complaint against Rev Fr _____, notarized statement

- 5 The file of Rev Fr _____ (ROEA & OCA homosexual priest) submitted to the ROEA by Presbytera _____, resolved as of June 28, 2000, by the ROEA Spiritual Consistory; and covered up by His Eminence Archbishop Nathaniel - unfinished business as per the OCA Statute and the Policies, Standards, and procedures of the Orthodox Church in America on Sexual Misconduct provisions.

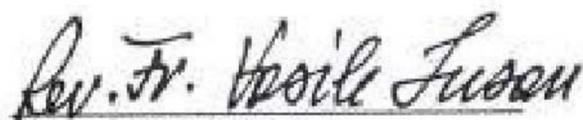
- 6 The copy of the ROEA Spiritual Consistory Meeting's Minutes held on June 28, 2000, at the ROEA headquarters, Vatra Romaneasca, Grass Lake, MI;

- 7 Published clergy status (shows coverup and uncanonical transfer from ROEA to OCA)
 - a) Solia _____;
 - b) Solia _____;

- 9 Support Materials regarding the complaint against Archbishop Nathaniel and Fr.
 - a) Rev Fr Vasile Susan letter (questions) addressed to the OCA Chancery, as June 20, 2005
 - b) OCA letter (answers) addressed to Rev Fr Vasile Susan, as June 21, 2005
 - c) OCA web site print out regarding the residence and diocese of Rev Fr _____
 - d) OCA Holy Synod of Bishops 1994 Guidelines for responding to sexual misconduct allegations
 - e) OCA Holy Synod of Bishops statement on sexual abuse provisions, issued during its Spring session of April 1-4, 2002

This complaint is filed in accord with OCA Statute Art. XI, Sect. 7(a) - Accusations against bishops are reffered directly to the Holy Synod, which is the court of first instance empowered to pass judgment in such cases.

Yours in Christ the Lord,


 Rev Fr Vasile Susan

Rev Fr Vasile Susan
5413 N Nottingham Ave
Chicago, IL. 60656
Phone: 773-220-9503; E-mail:vasilesusan@hotmail.com

Date June 23, 2005 Commemorating day of Martyrs Agrippina and Aristokleos

To: The Most Blessed His Beatitude HERMAN
6850 N. Hempstead Turnpike
Syosset, NY 11791
the OCA Holy Synod of Bishops,
the OCA Office for Review of Sexual Misconduct Allegations

**REQUEST FOR IMPEACHMENT AND IMMEDIATE SUSPENSION OF
HIS EMINENCE ARCHBISHOP NATHANIEL POPP (ROEA)
AND
A FORMAL COMPLAINT AGAINST REV FR**

Your Beatitude, Beloved Hierarchs of the Holy Synod of the Orthodox Church in America.

"Ius est ars boni et aequi"

I, Rev Fr Vasile Susan (former ROEA priest and ROEA Spiritual Consistory Investigator from August 18, 1997 - July 23, 2001), and currently, OCA clergyman, under the omophorion of His Beatitude Metropolitan HERMAN, since MARCH 1, 2004, would like to formally submit this complaint for impeachment of His Eminence Archbishop Nathaniel Popp of the ROEA and a complaint against Rev Fr

This complaint is being submitted to all the members of the OCA Holy Synod of Bishops. This complaint is for the OCA Holy Synod of Bishops deliberation. Concrete, firm and immediate action by OCA is required either before or during the All American Council (July 17-22, 2005).

OCA Holy Synod is requested to **remove** His Eminence Archbishop Nathaniel Popp from his duties as ROEA ruling hierarch, for dereliction of duty, abuse of power, cover up, double standard and discriminatory procedures, breach of moral and canonical provisions. These allegations are summarized and substantiated in this complaint, however, complete details will be furnished before a court, as needed to prove the complaint.

A) Background

This complaint is in full compliance with all the Holy Scripture, the Canons of the Holy Orthodox Church, the OCA Statute, the ROEA By-Laws, the OCA Holy Synod of Bishops 1994 Guidelines for bringing to your attention allegations of sexual misconduct. The OCA Holy Synod of Bishops statement on sexual abuse provisions, issued during its Spring session of April 1- 4, 2002, and published in the OCA newspaper April issue, 2002, and the Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct 2003, provisions, regarding my status as a complainant within a special case of a cover up of a homosexual priest (sodomite) Rev Fr , by one (His Eminence Archbishop Nathaniel Popp of the ROEA), of the OCA Holy Synod of Bishops members.

First of all, I am deeply saddened and disturbed by the fact that Archbishop Nathaniel Popp, of the Romanian Orthodox Episcopate of America, **covered up for more than 15 years a homosexual priest, and by his willingness to lie to the OCA Holy Synod of Bishops and to the ROEA as a whole, and especially to the ROEA Congress, ROEA Spiritual Consistory members, ROEA** **Parish in**

At June 28, 2000 meeting's "A SPECIAL RECOMMENDATION" was formulated and sent to the attention of the ROEA Hierarchy, His Eminence Nathaniel Popp, as mentioned above, **which was never carried on** as prescribed by the Holy Scripture, the Canons of the Holy Orthodox Church, OCA Statute, the OCA Holy Synod of Bishops 1994 Guidelines for responding to sexual misconduct allegations, the OCA Holy Synod of Bishops statement on sexual abuse provisions, issued ... during its Spring session of April 1- 4, 2002, ... published in the OCA newspaper April issue, 2002, and the Policies, Standards, and procedures of the Orthodox Church in America on Sexual Misconduct provisions.

Rev Fr _____, as many others afflicted by that sin of homosexuality, believed that he could handle it on his own without professional counseling. He knew that he could not do it alone. **He was divorced by his presbytera _____ because of his homosexuality,** as the file submitted to the ROEA Spiritual Consistory demonstrates on this matter. (His Eminence Archbishop Nathaniel may supply the **entire file on Rev Fr _____**, which must be in the ROEA Archives).

I would like to point out that the following ROEA priests have knowledge about this case (that Rev Fr _____ was / still is a homosexual): V Rev Fr Laurence Lazar, V Rev Fr Dr Casian Fetea, V Rev Fr Simion Pavel, Rev Fr Catalin Mitescu, Rev Fr Romey Rosco, Rev Fr Remus Bleahu, Rev Fr Remus Grama, Rev Fr Anton Frunza and some others.

B) Complaint

1) Dereliction of duty:

By deceiving the faithful, and engaging in secretive and manipulative behavior

The Orthodox Church needs hierarchs as leaders, able to carry on all the Holy Scripture, the Canons of the Holy Orthodox Church, OCA / ROEA Constitution and By-Laws, in a word, visionaries and beacons for the faithful. By contrast, His Eminence, Archbishop Nathaniel has engaged in activities that are counter to the Orthodox teachings. He had lied, obstructed justice and engaged in secretive and deceitful tactics.

The OCA Statute and the Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct 2003, provisions, CANNOT and WILL NOT SUPERSEDE the Holy Scripture and the Canons of the Holy Orthodox Church provisions, regarding ADULTERY, HOMOSEXUALITY and SODOMY, as reasons / charges for defrocking a homosexual priest as per the file enclosed herewith.

However, in ROEA SOLIA _____, _____, is mentioned that Rev Fr _____ was release from his _____ Parish, in _____, effective July 1, 2001 with no further assignment at this time ... without saying anything about his ministry within the church ... Why was Rev Fr _____ released without telling the people in _____, _____ the truth?

Furthermore, in ROEA SOLIA issue, , is stated that Rev Fr was released to Metropolitan HERMAN, of the Orthodox Church in America, effective 17 November, 2004. **Under whose omophorion was he ministering from July 1, 2001 until November 17, 2004 and WHY ... ?**

The OCA web site still shows Rev Fr under the RO = Romanian Episcopate, and not under the "any OCA" (see the information from the OCA web site - on June 23, 2005 ...

, Home Phone: , Office Phone:
, E-mail: (Fr), Diocese: OCA-RO).

Is he still under the omophorion of Archbishop Nathaniel ?

The file of Fr. was brought to justice by presbytera on her behalf, and on behalf of her three children, waiting to see the justice served as per: the Holy Scripture, the Canons of the Holy Orthodox Church, the OCA Statute, the ROEA By-Laws, the OCA Holy Synod of Bishops 1994 Guidelines for responding to sexual misconduct allegations, the OCA Holy Synod of Bishops statement on sexual abuse provisions, issued ... during its Spring session of April 1- 4, 2002, ... published in the OCA newspaper April issue, 2002, the OCA Statute and the Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct 2003, provisions.

All the reports and documented materials submitted to the ROEA Spiritual Consistory and now to the OCA Holy Synod of Bishops and to the OCA Office for Review of Sexual Misconduct Allegations SHOULD BE CONSIDERED GROUNDS, REASONS, CHARGES, for defrocking a homosexual priest.

2) Abuse of power:

By the arbitrary way His Eminence shepherds the clerics (the case of Fr. Vasile Susan and many others)

His Eminence's actions against Fr. Susan, **were clearly punitive, and similar to the persecutions endured by some Romanian brother clergy under the former Romanian Communist regime.** And ... Why ? After more than a year, no allegations were even presented!! A case that will end up in the civil courts, and it has the potential to tear apart the fabric of the Romanian Orthodox Episcopate of America (ROEA).

At the same time, His Eminence engaged in a campaign of terror against any priest who may have the courage to speak up. There's a long list of such cases.

3) Cover up, breach of moral and canonical provisions:

By his handling of allegations of homosexuality within orthodox clergy

In the OCA newspaper April issue, 2002, it's stated:

...especially misconduct by certain clergy and others in positions of authority and trust. The Holy Synod of Bishops of the Orthodox Church in America once again affirms the policy of the Orthodox Church in America relating to the appropriate response to allegations of sexual misconduct as outlined in the Guidelines for Initial Response to Allegations or Charges of Sexual Misconduct promulgated by the Holy Synod of the Orthodox Church in America on March 28, 1994. We lament the horrible sin of sexual abuse at any age by any person and will not tolerate it.

Page 3

In addition to restating and reaffirming these guidelines, we also acknowledge that the Orthodox Church in America, its dioceses, institutions, and parishes are directed to respond promptly and in accordance with these Guidelines to any allegations of sexual abuse when a reasonable credibility of the allegations may be assumed. Further, the Orthodox Church in America will comply with the civil laws of the jurisdiction in which any allegation is made in regard to reporting any incident and cooperate in any subsequent investigation. The Orthodox Church in America, as the Holy Church of Christ, will also reach out to the victims and their families to provide for their spiritual well-being and healing, according to these guidelines and pastoral concern.

Rev Fr _____ removal from the priesthood did NOT come after an "ecclesiastical court deliberations" in June 28, 2000 in Jackson, MI, even though it was clearly stated, "that the situation in the _____ Parish, in _____, is compromised enough", (see the minutes of the ROEA Spiritual Consistory). Furthermore, while this matter was under investigation and discussed by the ROEA Spiritual Consistory, Archbishop Nathaniel was coaching the ROEA Spiritual Consistory President Rev Fr Catalin Mitescu, instructing him how the ROEA Spiritual Consistory recommendation needs to be. The recommendation even though obviously states that Fr _____ was and still is a homosexual priest, ... he was allowed to serve at the Holy Altar for one more year, following the ROEA Spiritual Consistory recommendation ... without any canonical interdiction from the ROEA hierarch, without any report to the OCA Holy Synod of Bishops for defrocking ... and even nowadays he is still partaking communion as a clergyman at _____ Ukrainian Church, in _____, without any restriction.

Why something like this is taking place?

Is the Ukrainian diocese aware of these serious issues ?

Archbishop Nathaniel must resign immediately or be removed by the OCA Holy Synod of Bishops pending a complete and fair inquiry because of these grave allegations. I strongly believe that his irresponsible, anti-canonical and anti-ecclesiastical actions had inflicted deep wounds on our beloved Church. At the heart of these allegations you have:

A) OCA POLICIES, STANDARDS & PROCEDURES OF THE ORTHODOX CHURCH IN AMERICA on Sexual Misconduct provisions, which were violated (breached) by His Eminence Archbishop Nathaniel or related to cover ups, abusive power, double standard, etc, on which reasons for impeachment, suspension and trial are based upon:

3.01. Page 8; 3.02. Page 8; 3.03. Page 9; 3.04. Page 9; 4.02. (a) & (b) Page 10;
5.01. Page 10; 5.02. Page 10; 5.03. Page 10; 5.04. Page 11; 5.05. Page 11; 5.06. Page 11;
7.01. (a) & (b) Page 12; 7.03. (a) & (b) Page 13;
8.01. (a), (b) & © Page 15; 8.03. (a), (b) & © Page 15, 16; 8.05. (b), (c), (d), (e) Page 17; 8.06. Page 18; 9.01. (a) Page 18; 9.02. (a), © Page 19; 9.03. (a) Page 20; 9.04. (a) Page 21; 9.05. (a), (b) Page 21; 9.06. (a) Page 22;
10.01. (a) 2 - 9 Page 23, 24; 10.01. (b) Page 24; 10.02. (a) 1 - 4 Page 24; 10.03. (a) 1 - 3, 5 - 6 Page 25; 10.03. (b) Page 26; 10.06. (a), (b) and (c) 1, 3, 4, 5, 6, 7, Page 26, 27;

All the above provisions have been flagrantly disregarded and violated by His Eminence Archbishop Nathaniel Popp, deceiving the OCA Holy Synod of Bishops and acting contrary to the OCA Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct provisions.

The OCA Holy Synod of Bishops should consider prompt action against the ROEA ruling hierarch. The Rev Fr _____ file enclosed herewith is the proof on which the OCA Holy Synod of Bishops are requested to base their decision and action upon.

Page 4

I preserved this file intact as it was used by the ROEA Spiritual Consistory members during proceedings as shown by the June 28, 2000 ROEA Spiritual Consistory minutes, because I had the feeling that Archbishop Nathaniel will cover up. This happened.

B) CANONS OF THE HOLY ORTHODOX CHURCH'S PROVISIONS ON SEXUAL MISCONDUCT which were violated / ignored / not applied by His Eminence Archbishop Nathaniel in Rev Fr _____ case cover ups, abusive power, double standard, on which reasons for impeachment, suspension and trial are based upon:

Adultery is sanction by the following Canons:

canon 5, 26 and canon 51 of the Holy Apostles; canon 14 of the 4th Ecumenical Council; canons 3, 6, 13, 21, 30 of the Quinisext Council; canon 20 of Ancyra; 1st canon, of the 2nd Local Council of NeoCaesarea; canon 16 of Carthagina; canons 32 and 69 of St Basil the Great; canon 4 of St Gregory of Nyssa; canon 3 & 9 of St Theophylus of Alexandria; canon 18 of St John of Constantinople; canon 36 of St Nichephor the Confessor; etc...

Sodomy is sanctioned by the following Canons:

canon 7 & 62 of St Basil the Great; canon 29 of St John of Constantinople; and all canons from Adultery.

All the above provision have been **flagrantly disregarded and violated** by His Eminence Archbishop Nathaniel Popp by **intentionally and premeditatedly cover up** of Rev Fr _____ Sexual Misconduct **"who violated the basic dogma of the Orthodox Church by entering into an illicit and deceptive relationship with men,"** deceiving the OCA Holy Synod of Bishops the ROEA as a whole, the ROEA Congress, ROEA Spiritual Consistory members, ROEA _____ Parish in _____
A Church Hierarchy who does not vigil to the Church Dogmas, and allows priests to deliberately violate the basic dogmas of the Orthodox Church should be suspended and put in trial by the Holy Synod of that Church.

Please refer to the attached materials (listed in the cover letter, and attached to this formal complaint) for further documentation.

C) Remedy

I am hereby asking for an impeachment of the ROEA ruling hierarchy and for His Eminence Archbishop Nathaniel Popp's immediate suspension as the ROEA ruling hierarchy during the investigation proceedings, and trial.

We also strongly request that all the cases in which the ROEA clergy or laity suffered injustice and hardships during His Eminence Archbishop's tenure, to have their files re-opened and reviewed by a qualified Spiritual Consistory Commission with solid canonical knowledge and resolute in solving such issues, without any undue pressure, manipulation, secrecy and hidden agendas.

I would like to say that within the last 15 years and even more, the ROEA ruling hierarchy His Eminence Archbishop Nathaniel Popp, **did enough to prove his culpability in any court (including ecclesiastical court = Holy Synod)**, and that **"the peace of the clerics and lay members of the ROEA has been broken in many ways over that period of time, and it cannot be restored without a sacrifice."**

As many as in the past were unjustly sacrificed one way or the other by His Eminence Archbishop Nathaniel's poor judgment, cover ups, manipulations, intrigues, discrimination, abuse of power, breach and violation of the **Holy Scripture, the Canons of the Holy Orthodox Church, ROEA Constitution and By - Laws, OCA Statute and the Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct provisions**, are ... nowadays waiting for a justice that is going to be served on their behalf to His Eminence Archbishop Nathaniel, by the OCA Holy Synod of Bishops, in a very sincere and holy manner.

The OCA Holy Synod of Bishops is responsible for the good order within the Orthodox Church in America of which ROEA is a part, and it should act without compromising itself as a Church body.

I truly believe that the AUTHORITY of the OCA Holy Synod of Bishops MUST be recognized by those who belong to the OCA as Hierarchs, Priests and Laypersons.

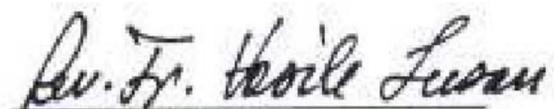
Thus, the OCA Holy Synod of Bishops needs to respond promptly after receiving this material, and is expected to act and administer justice to those in need, and to enforce the Holy Scripture, the Canons of the Holy Orthodox Church, and the Policies, Standards, and procedures of the Orthodox Church in America on such grave matters ... accountability is not only needed, but demanded.

By addressing to you all this complaint, I am showing you all, the great respect I have for all the American liberties given to us as citizens of this great democratic country. On the other hand, I am showing you the respect I have for the provisions of the Holy Scripture; of the Orthodox Church Holy Canons; of the OCA Statutes; of ROEA Constitution and By - Laws; of the Policies, Standards, and procedures of the Orthodox Church in America on Sexual Misconduct; of the dignity of the Holy Orthodox Priesthood; and above all the truth that will make us free.

Anyone interested in finding out, read and post ... about this sensitive subject can go ... www.pokrov.org.

Also info can be found on ... www.orthodoxnews.com ... Volume 7, # 20 / May 15, 2005 and Volume 7, # 22, May 31, 2005.

Yours in the Merciful Christ,



Rev Fr Vasile Susan

The charges against His Eminence Archbishop Nathaniel Popp.

His Eminence during the last 15+ years has consistently and deliberately violated the following provisions:

a - the Holy Scripture provisions,

Created to know God's divinity and power through creation, human beings have refused to acknowledge God, to honor and thank Him, and to obey his divine teachings. Through their rebellion *"they became futile in their thinking and their senseless hearts were darkened" (Romans 1:21). Therefore, as the apostle Paul continues to teach, "God gave them up in the lusts of their hearts to impurity, to the dishonoring of their bodies among themselves...their women exchanged natural relations for unnatural, and the men likewise gave up natural relations with women and were consumed with passion for one another, men committing shameless acts with men and receiving in their own persons the due penalty for their error" (Romans 1:26-27).*

Homosexual acts, like adulterous and incestuous behavior, are condemned in the law of Moses. Those who do these things, both men and women, are, according to God's law of the old covenant, to be put to death (Leviticus 18:6-23;20:10-21).

According to the apostle Paul, *those engaging in homosexual acts, with fornicators, adulterers, idolaters, thieves, the greedy, drunkards, revilers and robbers, will not inherit the kingdom of heaven. Christians come from all these categories of evil doers who have, voluntarily and involuntarily, been caught up in the sin of the world. They are those who through their personal repentance and faith in Christ, their baptism and chrismation, and their participation in Holy Communion, have been "washed...sanctified...and made righteous in the name of the Lord Jesus and in the Spirit of our God" (1 Corinthians 6:9-11);*

b - the Canons of the Holy Orthodox Church provisions,

Adultery is sanction by the following Canons:

canon 5, 26 and canon 51 of the Holy Apostles; canon 14 of the 4th Ecumenical Council; canons 3, 6, 13, 21, 30 of the Quinisext Council; canon 20 of Ancyra; 1st canon, of the 2nd Local Council of NeoCaesarea; canon 16 of Carthagina; canons 32 and 69 of St Basil the Great; canon 4 of St Gregory of Nyssa; canon 3 & 9 of St Theophylus of Alexandria; canon 18 of St John of Constantinople; canon 36 of St Nichephor the Confessor; etc...

Sodomy is sanctioned by the following Canons:

canon 7 & 62 of St Basil the Great; canon 29 of St John of Constantinople; and all canons from Adultery, and many more canons' provisions.

c - the basic dogma of the Orthodox Church provisions, by allowing Rev Fr enter into
illicit and deceptive relationships with so many men over a period of time longer then 12 years, probably up to nowadays. He violated his priesthood and marriage commitments by committing not only adultery, but sodomy, not demonstrating any remorse, nor repentance for any of his actions towards his presbytera, his family, and Your Eminence as his hierarch.

d - the ROEA Constitution and By - Laws provisions, ART XV

e - the OCA Statute provisions,

- * **ART I** - The OCA's doctrine, discipline, and worship are those of the One, Holy, Catholic, and Apostolic Church as taught by the Holy Scriptures, Holy Tradition, the Ecumenical and Provincial Councils, and the Holy Fathers. The Orthodox Church in America is referred to in this Statute as "the Church."

**** **ART VI** - The Diocese
Section 4 *The Diocesan Bishop*

a) Shall expound Orthodox Faith and morals and guide his flock in accordance with the teachings of the Church, and will issue pastoral letters to the clergy and laity;

*** **ART X** - The Parish
** Section 5 *Parishioners*

a) No one can be a member of the parish if he openly betrays the teaching of the Orthodox Church, or if he leads a life or acts in a manner condemned by the Holy Canons as incompatible with the name of Orthodox Christian.

f - the OCA Holy Synod of Bishops 1994 Guidelines for responding to sexual misconduct allegations, provisions, enclosed herewith (see the TEXT below).

The HOLY SYNOD of the ORTHODOX CHURCH IN AMERICA,

Holy Synod reaffirms 1994 Guidelines for responding to sexual misconduct allegations

SYOSSET, NY -- During their spring session April 1-4, 2002, members of the Holy Synod of Bishops of the Orthodox Church in America reaffirmed guidelines for initial response to allegations or charges of sexual misconduct they initially had issued in 1994.

"In light of current media reports involving sexual abuse, the hierarchs felt the need and duty to reaffirm their position, as initially stated in 1994," according to the Very Rev. John Matusiak, OCA Communications Director. "The hierarchs also stated that they will not tolerate 'the horrible sin of sexual abuse at any age by any person.'"

The 1994 guidelines offer detailed procedures for making an initial response to allegations and charges of sexual misconduct. The full text of the 1994 guidelines appears below.

1. Take seriously all allegations or charges of sexual misconduct. The Office of the Metropolitan will designate one or more persons as trained investigators to deal with cases of alleged sexual misconduct, and the services of Legal Counsel will be made available as circumstances may require.

2. The recipient of a complaint lodged against a clergyman, Church worker, or Church member must immediately notify the diocesan bishop. The diocesan bishop will immediately inform the Office of the Metropolitan that such an allegation or charge has been made. It is important that the Church administration be involved in this process since in the case of litigation the Church as a whole, rather than any specific person, parish, or diocese, is exposed to liability.

3. At this point, if deemed necessary the Metropolitan will appoint a trained investigator to the case.

The investigator will be skilled in issues surrounding sexual misconduct, and particularly sexual addiction. The investigator's duties will be to: **a.] conduct a thorough investigation of the case resulting in a comprehensive written report addressed to the Metropolitan and the diocesan bishop; and b.] serve as advisor to the Metropolitan and the diocesan bishop in regard to issues surrounding the matter.**

4. **The investigator will obtain a written, signed and dated report as soon as possible from the person[s] raising the allegations or charges. This should include permission to approach the accused, if the accused is not yet aware of the allegations or charges being made.**

5. **After reviewing the written allegations with legal counsel, the Office of the Metropolitan and the diocesan bishop shall determine whether to proceed with steps 6, 7, 8, and 9, and whether the relevant insurance carrier should be notified. If the complaint involves specifically criminal activities, then the police must be notified. Particularly strict regulations exist concerning the reporting of incidents involving children and other vulnerable people.**

Reducing the risk of child sexual abuse: Guidelines for Parishes

6. If so instructed, the investigator will then approach the accused person, and make that person aware of the accusations which have been made. **The diocesan bishop will relieve the accused person of their duties, without suspending pay, pending investigation of the matter. (This is a particularly controversial step, however it is better to err on the side of discretion.) At this time, the diocesan bishop will recommend that the accused seek private legal counsel (i.e., counsel not associated with the parish, diocese, or territorial church). He will also make pastoral resources available to the accused and his/her family through people not involved in the investigation.**

7. The diocesan bishop will then contact the alleged victim[s] and their family[ies]. He will make pastoral resources available to them through people not involved in the investigation. This step is a pastoral, rather than investigative, initiative.

8. If an arrest or formal charge has been made, the diocesan bishop will, in consultation with the Office of the Metropolitan, the investigator, and legal counsel, promptly prepare and have read to the parish family a written statement informing them that this arrest or charge has occurred and that the person charged has been relieved of their duties until the investigation has been completed. Keep a copy of this written statement. Say no more about the alleged incident at that time. The parish will need to be led through a process of healing, but only once the outcome of the investigation is known.

9. Once the above steps have been completed the investigator will proceed with his/her formal investigation into the matter in the manner in which he/she has been trained. **The investigator's report will be reviewed by the Office of the Metropolitan, the diocesan bishop, and legal counsel to determine what additional action (if any) should be taken.**

Note: Do not be tempted to do more than what is specified above, such as take sides or extend financial assistance to one or another of the parties, even if at the time pastoral concerns seem to indicate otherwise. The above guidelines are designed to keep the Church involved, but not entangled or enmeshed, in situations involving sexual misconduct. Such an approach will allow for a fair investigation, meet the immediate pastoral needs of those involved, and prepare the ground for long-term healing and eventual closure.

AN OFFICIAL DOCUMENT OF THE HOLY SYNOD OF BISHOPS OF THE ORTHODOX CHURCH IN AMERICA APPROVED FOR DISTRIBUTION, MARCH 31, 1994

g - the OCA Holy Synod of Bishops statement on sexual abuse provisions, issued ... during its Spring session of April 1- 4, 2002, ... in the OCA newspaper April issue, 2002 ... enclosed herewith (see the TEXT below).

*April 4, 2002
OCA Chancery Syosset, New York*

In recent weeks the news media have daily reported the sexual abuse of children, especially misconduct by certain clergy and others in positions of authority and trust. The Holy Synod of Bishops of the Orthodox Church in America once again affirms the policy of the Orthodox Church in America relating to the appropriate response to allegations of sexual misconduct as outlined in the Guidelines for Initial Response to Allegations or Charges of Sexual Misconduct promulgated by the Holy Synod of the Orthodox Church in America on March 28, 1994. We lament the horrible sin of sexual abuse at any age by any person and will not tolerate it.

In addition to restating and reaffirming these guidelines, we also acknowledge that the Orthodox Church in America, its dioceses, institutions, and parishes are directed to respond promptly and in accordance with these Guidelines to any allegations of sexual abuse when a reasonable credibility of the allegations may be assumed. Further, the Orthodox Church in America will comply with the civil laws of the jurisdiction in which any allegation is made in regard to reporting any incident and cooperate in any subsequent investigation. The Orthodox Church in America, as the Holy Church of Christ, will also reach out to the victims and their families to provide for their spiritual well-being and healing, according to these guidelines and pastoral concern.

h - the Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct provisions,

3.01. Page 8; 3.02. Page 8; 3.03. Page 9; 3.04. Page 9;
4.02. (a) & (b) Page 10;
5.01. Page 10; 5.02. Page 10; 5.03. Page 10; 5.04. Page 11; 5.05. Page 11; 5.06. Page 11;
7.01. (a) & (b) Page 12; 7.03. (a) & (b) Page 13;
8.01. (a), (b) & © Page 15; 8.03. (a), (b) & (c) Page 15, 16; 8.05. (b), (c), (d), (e) Page 17; 8.06. Page 18;
9.01. (a) Page 18; 9.02. (a), © Page 19; 9.03. (a) Page 20; 9.04. (a) Page 21; 9.05. (a), (b) Page 21; 9.06. (a) Page 22;
10.01. (a) 2 - 9 Page 23, 24; 10.01. (b) Page 24; 10.02. (a) 1 - 4 Page 24; 10.03. (a) 1 - 3, 5 - 6 Page 25; 10.03. (b) Page 26; 10.06. (a), (b) and (c) 1, 3, 4, 5, 6, 7, Page 26, 27;

These charges, which can be fully substantiated, are sufficient in scope and magnitude to warrant the dismissal of Archbishop Nathaniel as head of the ROEA. It is in the interest of the Orthodox Church as a whole, and in the interest of the OCA and in the interest of the ROEA that these allegations of abuse by a hierarch are addressed in a timely and transparent manner.



COPY

THE ORTHODOX CHURCH IN AMERICA
THE ROMANIAN ORTHODOX EPISCOPATE OF AMERICA

Most Reverend NATHANIEL Popp, Archbishop

Parish Council President
Parish

May 9, 2001

Christ is risen!

With this letter, we are informing you that we are releasing the Reverend Father B
from the Office of Parish Priest of the Romanian Orthodox Parish,
by July 1, 2001.

Father has served the parish over the past twenty years. He has given his talents, time and heart to serve the faithful of Parish. During this period he has effected much; he has served in various capacities on the local and national levels of the Church. We are truly grateful for his service to our Lord and His Holy Church.

After having given due respect to Fr. pastorate, we have determined that it would be beneficial to him and to the parish for us to release him from his duties.

Although this letter may seem to have come without much expectation, we have been in contact with Father B and indicated to him some months ago of our intention.

Our office will be in contact with you as to how to fulfill the procedure in the event of a vacancy in the office of parish priest.

It is a tradition in the Episcopate that a parish host a farewell event for the priest leaving the office of Parish Priest and we are certain that this would be the same intention for the Parish.

With blessings and all good wishes,

+ Nathaniel
+ Nathaniel, Archbishop

e.

Mailing Address: P.O. BOX 309 • GRASS LAKE, MICHIGAN 49240-0309 • U.S.A.
Delivery Address: 2535 GREY TOWER ROAD • JACKSON, MICHIGAN 49201-9120 • U.S.A.
Chancery Office: (517) 522-4800 • Department of Finance: (517) 522-3598
Department of Publications: (517) 522-3636 • Romanian Secretary: (517) 522-6551
Fax machine: (517) 522-5907 • E-mail: rocasolia@aol.com • Web site: <http://www.roca.org>



THE ORTHODOX CHURCH IN AMERICA
THE ROMANIAN ORTHODOX EPISCOPATE OF AMERICA

The Most Reverend NATHANIEL Popp, Archbishop
The Right Reverend IRINEU Duvlea, Auxiliary Bishop

Reverend Father Vasile Susan
4225 N Central Avenue
Chicago, Illinois 60634-1800

January 22, 2004

Re: Release from the Office of Parish Priest, St. Mary Church, Chicago, IL
Release from the ranks of the clergy: ROEA

Father Susan:

I am certain that, in reviewing your actions and words over the past few years, you will confess that, indeed, your heart has been elsewhere. Whatever protest you make with your mouth, your actions have shown otherwise.

Referring to the By-Laws of the Romanian Orthodox Episcopate of America, Article I, Section 3, (a), we herewith remove you from the Office of Parish Priest of the Falling Asleep of the Ever-Virgin Mary, Chicago, Illinois, effective March 1, 2004. *"The Bishop shall also have the authority to Appoint, Transfer and Remove Parish Priests..."*

Referring to the By-Laws of the Romanian Orthodox Episcopate of America, Article IV, Section 2, (e), we herewith release you from the ranks of the clergy of the Romanian Orthodox Episcopate of America, effective March 1, 2004.

"...The Episcopate Council has the following authority and powers: To receive petitions of Clergy, Priests and Deacons, and Parishes wishing to come under the spiritual, operational and justificative jurisdiction of the Episcopate, subject to the ratification by the Episcopate Congress."

Although the Episcopate Council did receive your petition to come under our jurisdiction, you were not accepted through an Episcopate Congress. Not having further need of your ministry within the Episcopate, we release you as of March 1, 2004. You are released to His Beatitude, Metropolitan Herman, as is the procedure in the Orthodox Church in America.

I shall indicate to His Eminence, Archbishop Nicolae (Condrea) that I am releasing you.

In preparation for your departure, we request that, together with at least two members of the Parish Council, you make an inventory of the parish goods and send us three signed copies for the Chancery Office to seal and return to the appropriate persons.

The Annual Parish Assembly will be chaired by the Dean, Very Reverend Simion Pavel at a date convenient to him and the parish.

With blessings and all good wishes,

+ Nathaniel

+Nathaniel, Archbishop

c. Dean Pavel

Council officers: I. Kisereu, E. Ilioviciu, M. Istvan, J. Stanitz

Mailing: PO Box 309, Grass Lake, Michigan 49240-0309 **Shipping:** 2535 Grey Tower Road, Jackson, Michigan 49201-9120

Chancery Office: 517.522.4800 **Department of Finance:** 517.522.3598 **Department of Publications:** 517.522.3656

Facsimile: 517.522.5907 **Email:** roeasolia@aol.com **Website:** <http://www.roea.org>



THE ORTHODOX CHURCH IN AMERICA
THE ROMANIAN ORTHODOX EPISCOPATE OF AMERICA

The Most Reverend Dr. NATHANIEL Popp, Archbishop
The Right Reverend IRINEU Duvlea, Auxiliary Bishop

Rev. Fr.

June 01, 2005

Christ is risen!

Re: Suspension from Priestly Office

Father :

Considering the seriousness of the nature of the complaints/allegations against you brought to our attention and of which you were informed by and in the presence of the Spiritual Consistory of the Romanian Orthodox Episcopate of America at its meeting on May 17, 2005, at the Diocesan Chancery, Grass Lake, Michigan, we herewith suspend you from the Priestly Office of Parish Priest of _____ and from all priestly activities, effective as of June 01, 2005.

Your case will be under investigation by the special office established by the Orthodox Church in America according to the Orthodox Church in America's *Policies, Standards, and Procedures of the Orthodox Church in America on Sexual Misconduct* as approved by the Holy Synod of Bishops on April 02, 2003. We assume that you have retained the copy of this procedure which was sent to all clergy and we ask that you fully cooperate with the investigation as it progresses.

This suspension is with pay which is to come from the parish treasury. In the meanwhile, you may temporarily continue to reside in the parish apartment but may not be in anyway involved as priest.

We shall be assigning clergy to serve the needs of the parish and anticipate that you will not be acting in any manner adverse to the presence and activities of the clergy so assigned. You may attend the Holy Services and stand in the Holy Altar and as your conscience dictates, participate in receiving the Eucharist.

Parish Council Officers will be notified of this matter inasmuch as it presently is necessary for them to continue their administration of the parish needs.

In Christ the Lord,

+Nathaniel
+Nathaniel, Archbishop





*I the Lord
have called you in righteousness,
and will hold your hand,
and will keep you...*

Isiah 42:6



V. Rev. Richard J. Grabowski

Romanian Orthodox Episcopate of America

533 Oak Knoll Ave. N.E. • Warren, Ohio 44185
Phone (330) 194 8575

January, 30, 2004

His Eminence Archbishop NATHANIEL
Romanian Orthodox of America
Grass Lake, Michigan

Your Eminence,

I am writing this letter to you, in the spirit of love and brotherhood, that we share in the same priesthood of the Orthodox Church, together with all brother priests. May I also ad, that it is also the long friendship that we had over more than 35 years since I have known you (from the Vatra, through Hermitage and into hierarhal activities) that gives me the wish to write.

I want you to know that there is no disrespect, in my thinking, as I write. It is just a friendly reminder and concern of mine, for the possible damage that is, or maybe done to Your Eminence as a person, as an archbishop and to our Episcopate, which we have tried to keep above any and all unnecessary criticism.

You know that, through the years, we have had several arguments and different views in many aspects of "LIFE IN THE EPISCOPATE". Some go back 20 or more years. By the GRACE OF GOD, we were able to maintain a much treasured respect, love and friendship, regardless of what happened.

NOW, I am in a situation where my conscience prompts me to write my surprize to some of the latest development.

1. I was informed, lately, that at a recent wedding of a relative of Preotessa , which took place in the Romanian Byzantine Catholic Church in L of , had been asked by the family, to sing the responses at the Holy Matrimony ceremony, where Father G from was going to serve. The information given to me said that L had been told by Your Eminence not to sing , if Father G serves, but that he could sing, if another priest serves. I was told that the case was solved, by way of Preotessa , coming and she sang with 3-4 girls at the wedding. I do not want to ask the parties involve, about what happened EXACTLY, but would certainly like to know, from Your Eminence, if this is what happened. If it did, it can not be changed. But, it has caused a lot of questions, in the area. When I was asked about it, I refused to comment, but I wonder if it was done that way. Is the case BASED on religious or canonical reasons, or was it based on feelings about and toward Father G.

2. Also, in the last 8-10 days, I received phone calls from several brothers priests as well as from some lay people, concerning a letter dated January, 22, 2004 from Your Eminence, addressed to Father Vasile SUSAN , in Chicago, telling him that he is released from the office of parish priest at St. Mary Church, as of March, 1, 2004 and also rreleased from the ranks of the clergy of our Episcopate, on the same date. Both actions of release are receiving STRENGTH, by quoting articles of the BY-LAWS, which we are so willing and proud to sustain, if and when something that we don't like is happening.

./.

From Fr. Richard Grabowski
Warren, Ohio

page 2

To Archbishop NATHANIEL - ROEA

(cont.)

January, 30, 2004

I do not question your authority in making this decision, but I am surprised at the way it was handled. I don't know the details that led to this catastrophic event. I consider it CATASTROPHIC, because, this priest, who was welcomed in our Episcopate, and good enough to serve for more than 10 years, is now pushed out, like "YOU KICK OUT A DOG", in short terms, in the middle of the winter. I wonder, if you have consulted some of your Episcopate Council members, the Auxiliary Bishop and/or the Episcopate legal advisers. I REMEMBER, that I was present on January, 17, 1993, in the middle of the winter, in Chicago, when you officiated at the Installation of Father SUSAN at St. Mary's Church. There was no question of him being accepted or not, BY THE CONGRESS, there was no question of "PROBATIONARY PERIOD" (like we have now, in the later years), but everything was in order and it was so nice for all of us there. And, we drove, after that, all night to Harrisburg, PA for the funeral service of Father D . I WONDER, how and why things went the wrong way.

You state that Fr. Susan's petition of acceptance in the Episcopate, was accepted at the Episcopate Council, but he was never accepted by the Episcopate Congress. WHY? Was his petition not forwarded or presented to the Congress, out of negligence? Was there any reason? Why was he kept so many years in office, without Congress approval? AN THEN, let us consider this: If he was not accepted, how can he be released to Metropolitan Herman of O.C.A.?

And THEN, to top it off, that Your Eminence will indicate to Archbishop NICOLAE (from the SOV-ROM Episcopate) that you are releasing Father SUSAN. Is there a special reason for that? Has Archbishop NICOLAE asked for Fr. Susan's release, so that he could join his jurisdiction? Or, has Father SUSAN indicated that he would like to join that archdiocese of Archbishop Nicolae?

There are so many questions in my mind as well as in the minds of other priests of our Episcopate, that are looking for answers, for a reason or more to the letter and why Fr. Susan's ministry is no longer needed.

And permit, Your Eminence, to tell you that a number of our priests, feel that there is some "Dictatorial abuse" in the releasing process that happened with Father B , Fr. P and now, Fr. SUSAN. This is considered a new pattern and the priest who called me are concerned, in this way, a dangerous precedent will be established and that a breaking up of our Episcopate is coming. Some are considering personal protests, others are worried about possible lawsuits from the part of Father SUSAN. Anyone who is not a "YES MAN" feels threatened and in danger of being released. Do we want to live in FEAR?

I know that it will be hard for Your Eminence to change the RELEASING decision BUT, maybe AN EXTENSION, an investigation in the past and a more FORGIVING attitude could be started. SOON, we will have FORGIVENESS SUNDAY. I hope and pray that we can forgive each other. I extend my sincere love and respect to Your Eminence, and, asking for Your Blessing, I remain, YOUR DEVOTED HELPER,

Fr. Richard J. Grabowski
Very Rev. Richard J. Grabowski (RETRADED, not Retired)