

1 of 1 DOCUMENT

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Ex-pastor guilty of obstruction in porn case

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ASHEVILLE - The former pastor of St. Eugene Catholic Church pleaded guilty to obstruction of justice after trying to foil a police investigation by deleting pornographic images of children from the parish music minister's home computer.

The Rev. John Schneider received a 45-day suspended sentence that likely will spare him from any time in prison. He was placed on 12 months' probation and ordered to perform 100 hours of community service and pay a \$100 fine.

Schneider was originally charged in June 2009 with felony obstruction of justice, but District Attorney Ron Moore allowed him to plead to misdemeanor obstruction.

"I thought it was the appropriate thing, given that he didn't have a prior record," Moore said.

Under state sentencing guidelines, Schneider wouldn't have received jail time even if he had been convicted of the felony charge, he said.

According to police, Schneider went to the North Ridge Drive apartment of former music minister Paul Lawrence Berrell on May 18, 2009, and deleted hundreds of pornographic images of children "in secret and with malice" during a criminal investigation of Berrell.

That same day police charged Berrell with taking indecent liberties with a minor after the mother of a student at Asheville Catholic School, a ministry of the church, alerted authorities.

Federal authorities later charged Berrell, 31, with producing child porn by forcing the teenage girl to engage in sexually explicit conduct, and he was sentenced in April to 28 years in federal prison.

The court found Berrell engaged in a pattern of sexual abuse against children dating to 2002.

David Fortwengler, a member of Survivors Network of those Abused by Priests, said he considers Schneider to be an accomplice to Berrell's crimes.

"A pastor decided to protect the church instead of a child who was a victim of rape," he said. "What was on his mind to go and delete child pornography from one of his employee's computers? It's unbelievable."

David Hains, spokesman for the Catholic Diocese of Charlotte, said he can't comment on Schneider's June 30 conviction because of a lawsuit pending against the diocese, Schneider and Berrell. Parents of the girl who was molested brought the lawsuit.

Schneider, 58, resigned as pastor of St. Eugene shortly after he was charged. He remains an ordained priest but can't publicly present himself as a priest or publicly celebrate the sacraments, Hains said.

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Friday

He said that because it's a personnel matter, he won't say whether Schneider continues to be paid by the diocese, which oversees parishes in Western North Carolina, including St. Eugene, Asheville's largest with about 1,000 families as members.

"We're choosing to wait until all of the litigation has been handled before any change in his status (as a priest) is considered," Hains said, declining to elaborate on potential options.

The lawsuit filed last year claims that the Catholic Church's pervasive pattern of hiring and protecting known sexual predators allowed Berrell to repeatedly molest the girl.

He had a history of assaulting children at parishes in Georgia, Massachusetts and Tennessee, and that was known to church officials before he was assigned to St. Eugene in March 2007, according to the lawsuit filed in Buncombe County Superior Court.

In an answer to the lawsuit and motion to dismiss, the diocese denied knowingly employing or protecting sexual abusers and concealing the danger they posed.

The diocese also denied that Berrell had a history of improper sexual activity that was known to church officials.

The day Berrell was charged by Asheville police, Schneider was attending a meeting of the board of Asheville Catholic School when he took a call from Berrell made from the Police Department, according to the lawsuit.

Schneider excused himself from the meeting, went to Berrell's apartment and attempted to delete pornographic images from his computer, then returned to the meeting, the lawsuit states.

In its answer to the lawsuit, the diocese said that Berrell and Schneider acted on their own without church knowledge.

"Nothing Berrell did with regard to the improper relationship with the minor child was done in the course and scope of his employment or with actual or apparent agency authority," the answer states.

If the allegations against Schneider are true, he "committed those acts outside the course and scope of his employment and not as an agent of the diocese."

The lawsuit seeks unspecified damages, citing severe mental anguish necessitating psychiatric care, permanent damage to her sexual and emotional development and loss of faith in authority figures.

Former Asheville pastor pleads guilty to obstruction in child porn case

The former pastor of St. Eugene Catholic Church will serve no jail time for deleting hundreds of child pornography images from the home computer of his music minister to foil a police investigation.

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