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Italian police arrested former U.S. Salvatorian Fr. Joseph Henn 16 years after Italy's highest court confirmed his extradition to the United States to face allegations of child sexual abuse in Arizona.

Michele Gentiloni, Henn's attorney, said his client was taken into custody May 28 after trying to use his expired U.S. passport as identification to pick up some medicine he needed. A spokesman for the Carabinieri, the Italian police force that apprehended Henn, disputed that version of events, claiming instead that the priest had requested assistance at a city-run immigrant assistance center using a false name.

Henn, who was expelled from his order and removed from the priesthood in 2006, currently is in Rome's Regina Coeli prison awaiting questioning, which must happen by June 3, his attorney told Catholic News Service May 31.

However, Gentiloni said he believes the 2006 extradition order is now null and void because "the police never moved to execute it."

At the time, officials at the Salvatorian order's headquarters in Rome, where Henn was assigned when the abuse allegations were made, had said Henn fled.

His lawyer said that was not true, but the Italian police never bothered to check, and they missed their 45-day period for notifying him of the extradition order.

"At the end of August 2006, the Italian Ministry of Justice, believing he was no longer present, issued an arrest warrant" for violating the terms of his house arrest, and it was on the basis of that warrant, not the extradition order, that police took him into custody 16 years later, the lawyer said.

A spokesman for the Carabinieri in Rome told CNS, "before he could be advised officially" that the court upheld the extradition request, "he disappeared and that is why he was declared a fugitive."

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Fr. Jeff Wocken, U.S. provincial of the Salvatorians, confirmed to CNS that Henn had been removed from the order and the priesthood in 2006, and that he had left the Salvatorian headquarters before the extradition order could be carried out.

Henn had been arrested in Rome in July 2005 after a request by the U.S. Justice Department that he be extradited to face charges in Maricopa County, Arizona.

He was placed under house arrest at the Salvatorian headquarters while his lawyer, Gentiloni, tried to fight the extradition order.

Henn had been accused of molesting at least three boys under the age of 15 between 1979 and 1981 when he was living and working in Phoenix.

In 2003, Arizona's Maricopa County indicted him on 13 counts related to child molestation.

Gentiloni had told CNS in 2005 that Henn "would accept facing trial in the United States because he is innocent, but he fears for his physical safety" in a U.S. prison given the climate created by the U.S. clerical abuse scandals.

An Italian court upheld the extradition request in January 2006 and the Supreme Court confirmed the decision six months later.