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Former Washington Archbishop, Cardinal Theodore McCarrick listens during a news conference in Washington, May 16, 2006. A judge ruled Wednesday, Aug. 30, 2023, that McCarrick is not competent to stand trial and dismissed charges accusing the 93-year-old of sexually assaulting a teenage boy in Massachusetts decades ago. (AP Photo/J. Scott Applewhite, File)

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Dedham, Mass. — August 30, 2023

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A judge ruled August 30 that a 93-year-old former Roman Catholic cardinal is not competent to stand trial after both prosecutors and defense attorneys determined he suffers from dementia, and dismissed charges he sexually assaulted a teenage boy in Massachusetts decades ago.

Theodore McCarrick, the ex-archbishop of Washington, D.C., was defrocked by Pope Francis in 2019 after an internal Vatican investigation determined he sexually molested adults as well as children. The case created a credibility crisis for the church, as the Vatican had reports from authoritative cardinals dating to 1999 that McCarrick's behavior was problematic, yet he became an influential cardinal, kingmaker and emissary of the Holy See's "soft diplomacy."

The once-powerful American prelate faced charges that he abused the teenage boy at a wedding reception at Wellesley College in 1974.

During August 30's hearing, a psychologist hired by the prosecution said she found significant deficits in McCarrick's memory during two interviews in June, and he was often unable to recall what they had discussed from one hour to the next. Dr. Kerry Nelligan said she administered a number of tests on two occasions in June. As with any form of dementia, she said there are no medications that could improve the symptoms.

"It's not just that he currently has these deficits," Nelligan said. "There is no way they are going to get better."

Without being able to remember discussions, he could not participate with his lawyers in his defense, she said.

McCarrick appeared via a video link during the hearing. He was slightly slumped in his chair wearing a light green shirt and what appeared to be a grey sweater vest or sweater around his shoulders. He did not speak during the hearing.

McCarrick has maintained that he is innocent, and pleaded not guilty in September 2021. He was also charged in April with sexually assaulting an 18-year-old man in Wisconsin more than 45 years ago.

In February, McCarrick's attorneys asked the court to dismiss the case, saying a professor of psychiatry and behavioral science at the Johns Hopkins University

School of Medicine had examined him and concluded that he has dementia, likely Alzheimer's disease.

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At that time, lawyers said McCarrick had a "limited understanding" of the criminal proceedings against him.

McCarrick, who lives in Dittmer, Missouri, was charged with three counts of indecent assault and battery on a person over 14. He was not exempt from facing charges because the clock stopped on the statute of limitations when he left Massachusetts.

Mitchell Garabedian, a well-known lawyer for clergy sexual abuse victims who is representing the man accusing McCarrick, said in June that his client was discouraged by the prosecution expert's findings.

"In spite of the criminal court's decision today," Garabedian said following August 30's hearing, "many clergy sexual abuse victims feel as though former Cardinal Theodore McCarrick is and will always be the permanent personification of evil within the Catholic Church."

The Associated Press generally does not identify people who report sexual assault unless they agree to be named publicly, which the victim in this case has not done.

The accuser told authorities during a 2021 interview that McCarrick was close to the man's family when he was growing up. Prosecutors say McCarrick would attend family gatherings and travel on vacations with them and that the victim referred to the priest as "Uncle Ted."

Prosecutors say McCarrick abused him over several years including when the boy, who was then 16, was at his brother's wedding reception at Wellesley College. The man said McCarrick also sexually assaulted him in a coat room after they returned to the reception.

Prosecutors say McCarrick told the boy to say the "Hail Mary" and "Our Father" prayers before leaving the room.

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